Interview With Representative Thomas Massie

The New American

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TRUMP'S TARIFFS
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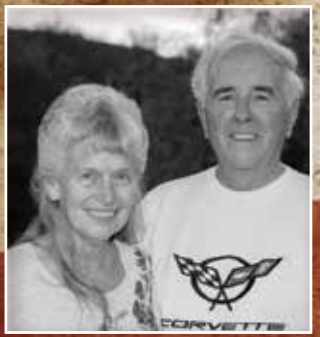

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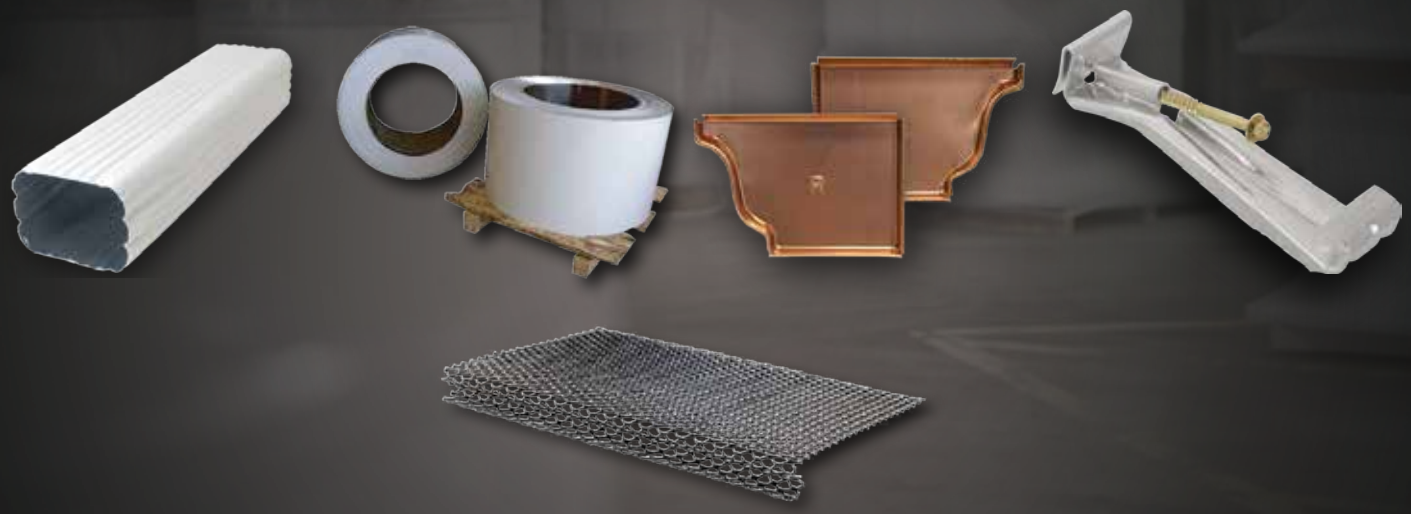

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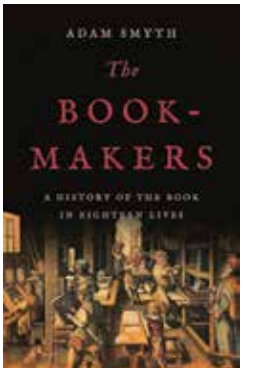

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Media Hypocrisy

The hypocrisy of the liberal news media is astounding!

For generations, U.S. presidents, both Republican and Democratic, have issued executive orders purporting to possess the force of law and usurping powers assigned to Congress by the Constitution. Yet how often has the liberal opinion cartel decried such unilateral presidential actions as unconstitutional or illegal? And how often have presidents who've intruded on congressional powers been branded dictators or kings?

Generally speaking, the liberal media have not accused presidents of running roughshod over the Constitution and amassing dictatorial powers — except for President Donald Trump.

Consider, for just one example, this chain of presidential actions regarding the Paris climate agreement:

• In 2016, President Barack Obama issued an executive order that purportedly bound the United States to the Paris agreement — despite the fact that the Constitution stipulates that treaties must be ratified by the Senate, and the Senate never ratified the agreement;

• In 2017, President Trump issued an executive order ending U.S. participation in the agreement;

• In 2021, President Joe Biden issued an executive order rejoining the agreement; and

• In 2025, Trump, back in the White House, issued an executive order to withdraw from the agreement.

Did the liberal media sound the alarm that, without Senate ratification, Presidents Obama and Biden had acted illegally and unconstitutionally? No, of course not. And who was the bad guy in the above chain of events? Trump, of course, for removing the United States from the Paris agreement.

This is not to suggest that everything Trump has done as president is constitutional. Our point is that the media are by no means champions of the Constitution that they feign to love when attacking Trump. If they really did love the Constitution, they would have taken Obama and Biden to the woodshed for their executive overreach on the Paris climate agreement — and for their many other unconstitutional actions during their presidencies.

So how much fidelity has Trump shown to the Constitution during his second term thus far? To shed light on that question, in the pages that follow we survey Trump's actions regarding the executive branch (page 8), immigration (page 15), tariffs (page 20), and foreign policy (page 25).

It is certainly true that Trump has issued a torrent of executive orders. But has he issued a torrent of *unconstitutional* executive orders? Surely, he may constitutionally revoke executive orders issued by his predecessor. He may also use orders to run the executive branch he heads. On the other hand, he may not use executive orders, any more than prior presidents, to usurp powers not assigned to him by the Constitution.

As always in our pages, we let the chips fall where they may.

— *Gary Benoit*

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Note: Beginning in July, *The New American*, now published twice a month, will become a monthly, with more pages, more features, and a fresh new look.

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QUICK QUOTES

"Shockingly, roughly 20 billion of your tax dollars were parked at an outside financial institution by the Biden EPA. This scheme was the first of its kind in EPA history, and it was purposefully designed to obligate all of the money in a rush job with reduced oversight. Even further, this pot of $20 billion was awarded to just eight entities, that were then responsible for doling out your money to NGOs and others at their discretion with far less transparency. Just under $7 billion was sent to one entity called the Climate United Fund."

U.S. Environmental Protection Agency Administrator **Lee Zeldin** *announced via social media that he is working to recoup funds squandered by President Joe Biden's administration.*

"I can tell you, based on what I've been seeing so far, the initial hearing that was actually held here in Congress was actually faulty in the single-bullet theory. I believe that there were two shooters."

Referencing the Warren Commission, Representative **Anna Paulina Luna** *(R-Fla.), head of the Task Force on the Declassification of Federal Secrets, addressed a press conference following President Donald Trump's executive order to declassify files related to the 1963 assassination of President John F. Kennedy.*

"Elon Musk has apparently somehow convinced the United States government ... that the taxpayers of the United States of America should spend $400 million buying 'armored Tesla production units.'... Isn't it great and definitely not at all illegal or profoundly corrupt ... definitely not ripping us all off to pay themselves, right?"

During this rant, MSNBC commentator **Rachel Maddow** *failed to mention that the referenced contract was awarded by the Biden administration.*

"Over the last few weeks, we've seen executive orders, memos and edicts come down from Washington D.C. regarding everything from federal funding to immigration issues.... Tomorrow, the City Council will vote on a resolution giving the City Attorney's Office broader authority to challenge any federal action in state or federal court to further support our City's values, interests and functions."

In a letter sent to "City colleagues," Minneapolis City Operations Officer **Margaret Anderson Kelliher**, *a Democrat, evinced a sudden affinity for nullification, a principle liberals have historically opposed.*

"The people of this country are being violated because all of our privacy is being taken up by Elon Musk and Trump, and we don't know what all they have on us."

Representative **Maxine Waters** *(D-Calif.) questioned Federal Reserve Chairman Jerome Powell during a House Financial Services Committee hearing, complaining about President Donald Trump's Department of Government Efficiency and asking for a promise "that you won't let DOGE into the Federal Reserve."*

— Compiled by Rebecca Terrell

PRESIDENT OR KING?

Prior presidents are applauded by the liberal media for ramping up the regulatory state. But Trump is called a dictator for attempting to rein it in. What's the truth?

by Steve Bonta

To no one's surprise, the desperate defenders of D.C.'s profitable status quo, having lost resoundingly at the polls and in the court of public opinion, are now clinging to their power and pelf with a weaponized judiciary. Although President Joe Biden wasn't successful in his bid to reconfigure the Supreme Court, the inferior federal courts are all thoroughly compromised assets of the radical Left, thanks to the blistering pace at which Biden (and, before him, Barack Obama) appointed federal judges. And the tried-and-true leftist tactic of corrupting the judicial branch is now paying off handsomely, as judge after judge issues orders commanding President Donald Trump to halt his reforms — or else.

The very latest such outrage, at the time of this writing, is an imperious follow-up finding by Rhode Island District Judge John J. McConnell accusing Trump of defying his previous January 31 order to halt a broad-based federal funding freeze. "The broad categorical and sweeping freeze of federal funds is, as the Court found, likely unconstitutional and has caused and continues to cause irreparable harm to a vast portion of this country," wrote McConnell (an Obama appointee). In other words, an imbecilic Rhode Island judge, responding to a calculated class action by 22 states, has forbidden Trump from taking any action to limit government spending, claiming such limits are unconstitutional and likely to inflict incalculable harm on the American public. The people, after all, cannot possibly be trusted to judge for themselves what the limits on government power or spending should be.

In other recent decisions, judges have blocked Elon Musk and Department of Government Efficiency (DOGE) officials' access to the Treasury Department's payment system, blocked the Trump administration's efforts to dismantle the U.S. Agency for International Development (USAID), and paused a deadline for Trump's buyout offer of federal employees. Doubtless more such actions will follow as Trump continues his efforts to roll back Big Government and the Deep State. And, as with everything else Trump has tried to do, his comprehensive efforts to cut spending and otherwise reform the executive branch are being decried as the actions of a dictator. Are they?

AP Images

The Doge of DOGE: Elon Musk with his DOGE organization is doing what any new CEO does in the private sector: finding out how money is spent and, where necessary, making cuts in budgets and personnel. But the sort of accountability demanded everywhere in the private sector has been anathematized by the secular priesthood of official Washington.

First, a few principles. The U.S. Constitution vests the executive power, clearly and unambiguously, in the president of the United States. As such, his powers over the country at large are few and clearly defined: the broad authority to pardon crimes and commute sentences, to nominate ambassadors and high officials (with Senate advice and consent), to negotiate and sign treaties (also with the consent of the Senate), to sign bills into law or to veto them, to serve as the commander in chief of the armed forces, and a few other things. He is otherwise the chief executive of the executive branch, much as a CEO is of a corporation; everyone else within the branch serves at his pleasure. From this state of affairs arose the institution of the executive order. Nowadays treated as Caesarean edicts, executive orders, from President George Washington onward, were originally internal executive branch memoranda with no application outside the executive branch.

A New Branch of Government

But beginning with the New Deal, the entire complexion of the executive branch changed, as President Franklin D. Roosevelt effected an unprecedented "revolution within the forms." Following the formula of the misnamed "Progressive movement," which believed in the virtue of a permanently entrenched professional government bureaucracy to impose continuity, FDR set up a welter of new government agencies tasked with regulating every aspect of Americans' lives, organs that could effectively legislate without the encumbrances of the legislative process, and which were "apolitical" — that is, unaccountable. All of this was accomplished by FDR via executive order, particularly during his fabled "First 100 Days," which featured an effusion of executive orders and proclamations without precedent, along with an enormous volume of enabling legislation passed by a supine Congress. Although FDR's executive actions ranged from imposing a bank holiday, taking the United States off the gold standard, confiscating privately owned gold coins and bullion, and establishing the Civil Works Administration, to locking up huge new tracts of federal

Steve Bonta is publisher of The New American.

land, none of his fawning admirers, now or then, ever accused him of acting dictatorially. Instead, the enacting of FDR's radical agenda during the first half of 1933 is unironically upheld by the modern Left as the gold standard of activist government! Of the 69 new government regulatory agencies created by FDR, many of the most consequential were conjured into being during the first 100 days or very soon thereafter, including the Agricultural Adjustment Administration, the Federal Deposit Insurance Corporation, the Farm Credit Administration, and the Federal Emergency Relief Administration. Adding to its mystique, this new multi-agency "alphabet soup" regulatory apparatus was housed not in the legislative branch but the executive, where it was empowered to operate free of accountability not only to the American public, but to the chief executive himself.

Following FDR's lead, multiple other U.S. presidents and Congresses have added more and more unaccountable regulatory agencies to this novel "fourth branch of government," such as the Environmental Protection Agency and the Occupational Safety and Health Administration, both signed into law by President Richard Nixon in 1970.

It isn't strictly true that the American regulatory behemoth originated with the New Deal (the Food and Drug Administration has been around since 1906, for example). But FDR's success at transforming the federal government into a paragon of bureaucratic absolutism was indisputably the crucial precedent-setter.

In other words, this sprawling regulatory regime, wholly illegitimate by any constitutional standard, has been inserted into the executive branch, largely beyond the oversight of the chief executive. In this way, the radical FDR administration, along with successive administrations and several generations of sympathetic jurisprudents, completely restructured the executive branch and redefined the powers of the presidency without even the formality of a constitutional amendment.

And now, at long last, the chief executive is fighting back. But the court rulings keep coming, against a backdrop of constant handwringing in the sycophantic media to the effect that somehow Trump's actions to rein in the maligned regulatory state operating out of the president's own branch of government are unconstitutional and dictatorial.

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Giving away the farm: FDR signs the Agricultural Adjustment Act in May 1933, part of his blitz of legislation and executive orders during his first 100 days in office, an unprecedented executive power grab that utterly — and illicitly — transformed the entire federal government and laid the foundation of modern Big Government.

Enabling Legislation

Unbeknownst to most Americans, these noxious regulatory agencies and spendthrift alphabet-soup institutions do not operate in a complete legal vacuum. In fact, they enjoy the dubious legal cover of a little-known but critically important piece of legislation that has conferred on them a sort of shady legitimacy — and has made the task of hindering them in any way infinitely more difficult. In June 1946, after 10 years of contentious partisan wrangling, a key piece of enabling legislation, the Administrative Procedure Act (APA), was passed, casting in stone the regulatory fourth branch of government that had slowly been taking shape in Washington since the late 19th century, and that had been given such critical impetus by the late FDR and his congressional myrmidons. By 1946, of the dozens of such regulatory agencies in existence, most (though not all) were housed within the executive branch. It was Roosevelt's (and his successor, President Harry Truman's) desire to give them full legal legitimacy, so that they might go about their appointed mission of making law via direct regulation unimpeded by court or legislative challenges.

Facing intense Republican partisan opposition, Roosevelt and his cronies welcomed an effort by the Special Committee on Administrative Law of the American Bar Association to craft legislation that would supposedly clarify the powers of these government agencies by making their activities more transparent — while limiting the ability of anyone to oppose them. The work of the bar asssociation on new legislation began in 1938, but Democrats, flush with confidence in their radical New Deal agenda and public support of the same, were in no mood to worry about such niceties as preserving FDR's regulatory state against GOP opposition. This state of affairs continued through World War II, with more far-sighted Washington insiders, antici-

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pating an eventual reaction against Big Government, quietly continuing to plan for legislation that would protect FDR's monstrous legacy against the inevitable backlash.

With the war over and FDR deceased, Democrats in 1946 awoke to the very real possibility that the new regulatory leviathan might indeed be eliminated should Republicans win big at the polls. By that time, the state of California had already enacted, the previous year, its own legislation to preserve its new state-level bureaucracy, and Big Government Beltway insiders recognized that they must follow suit. As Roni Elias summarized affairs in *Fordham Environmental Law Review*:

> In the immediate aftermath of the war, Congressional Democrats began to consider how to preserve the New Deal without control of both the White House and Congress. This consideration led Democrats to support procedural restraints on agency action for two principal reasons. First, Democrats recognized that the absence of formal procedural requirements for agency action would give a Republican president exceptional discretion to direct agency decision-making in whatever way he might choose. Legislation that mandated a fairly rigorous system of procedural safeguards for administrative action would create a significant amount of inertia favoring the status quo established during the New Deal era. As one commentator has noted, "with the procedural restraints in place, the Republicans could only repeal New Deal regulatory policies if they gained control of both houses of Congress and the presidency."
>
> Second, Democrats began to appreciate that strengthening judicial review of agency action would favor the preservation of the New Deal status quo. In the wake of a sixteen-year Democratic administration, the judiciary was filled with Roosevelt appointees who were friendly to New Deal programs. A reform of administrative procedure that enhanced the judicial review of agency action would tend to favor Democratic political objectives — the inverse of the situation that prevailed for most of the 1930s, when empowering judges to review agency action meant giving Republican appointees power over Democratic programs.

Rent-a-mob racketeers: USAID, one of Trump and DOGE's first targets, has enjoyed total insulation from accountability while laundering billions of taxpayer dollars, not only to foreign governments and radical-left NGOs, but even to leftist media outlets. Small wonder the USAID's Beltway beneficiaries are upset!

In other words, cunning Beltway insiders and Deep State actors of the day shrewdly appreciated that, by creating legislation that required judicial review of all actions by, and with respect to, regulatory agencies, they not only maximally empowered a judicial branch already dominated by Democratic and leftist partisan interests, but also made it impossible for the president to do anything to cleanse the house of the executive branch, except in the exceedingly unlikely event that he enjoyed a majority in the House alongside a filibuster-proof majority in the Senate.

Self-preservation of Big Government

The Administrative Procedure Act, as subsequent history attests, has accomplished its design, not only of making permanent most of the New Deal regulatory state apparatus (which, by the way, is technically and accurately referred to in jurisprudence as "administrative law"), but also of ensuring the creation,

AP Images

New order: President Trump signs one of many executive orders. While executive orders have come to be interpreted as presidential fiat, they were originally just memos dictating policy within the executive branch — a very legitimate use of presidential power.

with few impediments, of many additional seemingly deathless federal regulatory and administrative bodies since that time. In this way, the APA midwifed a bona fide new branch of government, complete with full legislative and funding authority reserved by the Constitution to Congress, as well as judicial authority once reposed exclusively in the federal judiciary. Superficially, the APA offers a sop to "democracy," requiring publication of all new proposed regulations with a mandatory period of public comment (input which, even when forthcoming, is routinely ignored by bureaucrats) and defining the scope of judicial review.

The standard of judicial review is deliberately ambiguous and latitudinarian, with courts needing to find that a proposed regulation is "arbitrary and capricious, an abuse of discretion, or otherwise not in accordance with the law." Such a standard imposes the burden of proof on litigants and adjudicators, rather than on the regulators themselves, to show very good cause why regulations should not be upheld; otherwise, any and all new regulations are presumptively beneficial, whether burdensome to the public in any other way or not. In particular, no mention is made of any constitutional standard, nor is the sacrosanctity of individual liberty mentioned. Armed with such a potent enabling statute, is it any wonder federal regulators have wreaked havoc on American liberty over the past 80 years, behaving so high-handedly as even to defy Congress and the president himself?

In most of the judicial actions undertaken against Trump's efforts to roll back the administrative state, the APA and its Byzantine procedural requirements are being brandished as the chief weapon. Somewhat ironically, selected federal judges are now using the "arbitrary and capricious" standard against Trump himself, claiming that he cannot insist on any change of regulatory policy for transient reasons, per the APA. For example, when lawyers representing USAID workers resisting Trump's efforts to place them on leave claimed that "the dissolution of USAID is arbitrary and capricious in multiple respects," the judge sided with the workers. Another lawyer involved in the lawsuits against Trump also invoked the APA, telling NBC that "what we're seeing from the Trump administration is they are moving so fast, and they're trying to do so much with so little reasoning, and they're trying to disrupt as much as possible, as fast as possible, that these actions are inherently arbitrary and capricious."

The Administrative Procedure Act is now doing precisely what its creators intended, serving not only as an immovable legal backstop to the whims of the illegitimate administrative state, but also as an unyielding obstacle to anyone — including the president himself — seeking to clip its wings.

It may well prove Trump's stiffest challenge to undo the decades of incalculable harm this profoundly dictatorial and utterly unconstitutional statute has done to the American body politic. Congressional repeal of the APA seems very unlikely anytime soon, because of the lack both of a Senate supermajority and of public awareness of this deliberately obscure statute. The most likely scenario would be an eventual Supreme Court rebuke of the APA — but, with the cultish fidelity of some of the Supremes to *stare decisis* ("let the decision stand"), even that is far from a foregone conclusion.

In the long run, the APA must be repealed, as a necessary prelude to the abolition of an entire illicit branch of the federal government. Bureaucratic absolutism is a far more common and potent enemy of liberty than is generally appreciated (recall that a conspicuous complaint in the Declaration of Independence has reference to a "multitude of new offices" and to "swarms of officers" the English crown had sent to "harass our people, and eat out their substance"), and in our day, the APA is its canon.

President Trump's willingness to do battle with the administrative state is to be applauded, but as long as the APA remains in force, the chief executive will not even be lord of his own executive manor. ■

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The Myth of Judicial Supremacy

No, the federal judiciary is not the supreme branch of government. So does Trump really have to abide by blatantly unconstitutional rulings?

by Selwyn Duke

It's an old story: When people are allowed to get their way for too long, when they're never told "No!," they may get too big for their britches. They may develop a sense of entitlement and even become narcissistic. And proving that judges are no exception are a number of recent court "opinions" designed to scuttle President Donald Trump's agenda.

One disallows the new Department of Government Efficiency (DOGE) from scrutinizing Treasury Department data.

Selwyn Duke has written for The New American *for more than a decade. He has also written for* The Hill, *Observer,* The American Conservative, *WorldNetDaily, American Thinker, and many other print and online publications.*

Another states that the Trump administration must unfreeze funding on grants and loans.

A different opinion puts a freeze on Trump's buyout offer for federal employees.

And yet another orders the administration to restore sexual devolutionary (on "gender" and "sex changes") government web pages Trump's team had rightly deleted. So Biden could create those pages but, somehow, the current president may not remove them. Yes, it's insane.

There's a little-known reason, however, why the rogue judges in question could so confidently engage in such insane judicial overreach. To wit:

We long ago accepted the overreach known as "judicial supremacy."

This brings us to the simple remedy. Trump could just paraphrase the paraphrase of Andrew Jackson and say, "The courts have made their decisions — now let the judges enforce them."

A "Constitutional Crisis"?

Some say this is illegal, that it would create a "constitutional crisis." A "legal analyst" and ex-federal prosecutor named Elizabeth de la Vega, for example, condescendingly stated in a February 11 X post that someone taking this position should "at least read *Marbury v. Madison*." OK, let's dance.

Marbury was the 1803 SCOTUS opinion that has been interpreted to mean that the judiciary must be the ultimate arbiter of laws' and actions' constitutionality and that, consequently, its rulings can constrain the other two governmental branches. Translation:

The courts gave the courts their trump-card (and Trump-card) power.

Not the Constitution — the *courts themselves*.

Well, that's like me crowning myself King of America and saying, "Now I get to rule — and you have to obey me." Are you OK with that?

(And while we're at it, off with those activist judges' heads.)

As to this, there's a reason Thomas Jefferson said in 1819 that if the judicial-supremacy opinion is valid, "then indeed is our constitution a complete *felo de se*" (act of suicide).

There's a reason a 5th U.S. Circuit Court of Appeals judge pressed Barack Obama's Department of Justice in 2012, after Obama had spoken dismissively of the courts, to submit a memo on the administration's position on judicial supremacy.

And there's a reason the late Justice Antonin Scalia warned in his dissent against the outrageous 2015 *Obergefell v. Hodges* (marriage) opinion that with "each decision ... unabashedly based not on law," the Court moves "one step closer to being reminded of [its] impotence."

That is, judicial supremacy is *not in the Constitution*. That's why Jefferson was incredulous about it, the circuit judge was insecure about it, and Scalia warned that the Court could be told to forget about it.

It's an extra-constitutional power the courts enjoy at the *other two branches' pleasure*. The moment they decide to stop playing the sub role in this master-servant relationship, the power goes bye-bye.

Method to the Madness

Now, it's helpful understanding why, in a world in which arrogating power to oneself or one's corps is status quo, the other two branches do play this sub role. First, it's a tradition, one so entrenched that pseudo-intellectuals will defend it as if it's law. But a very significant reason was epitomized by something then-Ohio Governor John Kasich said in 2015 after the *Obergefell* decision.

"The court has ruled," he proclaimed — "and it's time to move on." He seemed almost gleeful. And why not?

Kasich no longer had to take a stand on the controversial marriage issue and thus alienate part of the electorate.

Kasich's attitude is the norm, too. It's the same reason why, I can guarantee you, many Republicans got severe agita when *Roe v. Wade* was overturned in 2022. Now they actually had to legislate, as they're *supposed* to, on prenatal infanticide. So what legislators — and presidents often as well — get from judicial supremacy is the luxury of, like Pontius Pilate, being able to wash their hands of a matter: "The courts have ruled! Don't look at me!"

Apropos here, just as legislators outsource their responsibility to judges, the latter outsourced their responsibility to bureaucrats with the now-overturned *Chevron* opinion. What judges got from this was the benefit of lightening their caseloads and not having to strain their gray matter trying to settle legislative ambiguities.

Regardless, whether the decisions are made by unelected judges or unelected bureaucrats, the result is identical: You don't have a government of, by, and for the people. In fact, it's even worse than that.

If the courts can overturn law, contravening the will of the people's duly elected representatives, then they've to an extent arrogated to themselves the legislative power. If they can dictate to the president what executive actions he may or may not take, they've to an extent arrogated to themselves the executive power. And, of course, they enjoy their judicial power.

Now consider something James Madison, Father of the Constitution, wrote in *The Federalist*, No. 47: "The accumulation of all powers, legislative, executive, and judiciary, in the same hands" is "the very definition of tyranny."

We have for ages been venturing too close to judicial tyranny. In fact, Jefferson warned that judicial supremacy would reduce us to an oligarchy — of judges.

How It's Supposed to Work

Remember, too, that federal and state officials take an oath to uphold the Constitution.

They do not take an oath to uphold judges' opinions.

This means that if I'm a president or governor and a court issues a ruling I truly believe is unconstitutional, I have a *duty* to ignore it. Otherwise, I'm violating my oath.

"But what of rogue legislators or presidents?" some may ask. Well, what of rogue judges (who apparently are everywhere)?

The answer is the Founders' one: No branch can intrude into the others' spheres. This doesn't mean there aren't checks and balances. If, for example, a president believes a law is unconstitutional and refuses to enforce it, or takes an allegedly unconstitutional executive action, Congress can try to remove him; it can also impeach and remove renegade judges. As for House representatives themselves, the remedy is removal via the ballot box. This is why they must run for reelection every two years: Since they're meant to be the most powerful branch (e.g., spending bills must originate in the House, and only it can file impeachment charges), they're placed closest to the people's reach.

Power means nothing, though, if not exercised. If congressional and executive powers are outsourced, that can reduce us to what we've become: a government of, by, and for judicial oligarchs.

So, no, President Trump doesn't have to obey blatantly unconstitutional court opinions. This said, with how he's shaking up the system and busy draining the bureaucratic swamp, it's perhaps *politically* prudent to remedy the current judicial adventurism through the higher courts, as he'll almost assuredly win his cases on appeal. At some point, though, it will be time to drain that fetid judicial swamp and address the real constitutional crisis: the rule of judges who would be kings. ■

Collection of the Supreme Court of the United States

Keep your oath: You'd think legislative and executive officials had taken an oath to uphold judges' opinions. In reality, though, they take an oath to uphold the Constitution — as do judges. Here Ketanji Brown Jackson is sworn in as a Supreme Court Justice with her husband, Patrick Jackson, and Chief Justice John Roberts.

One-way flight: Under the new Trump administration, illegal immigrants, such as these Venezuelans, are now being deported to their home countries.

AP Images

STOPPING THE SANCTUARIES

Sanctuary cities have vowed to protect illegal immigrants from deportation, but that will not stop the Trump administration from enforcing the nation's immigration laws.

by R. Cort Kirkwood

When President Donald Trump signed his executive order that ended birthright citizenship — the misguided legal theory that anyone born in the United States, even to an illegal alien, is a citizen — the communist-founded American Civil Liberties Union and a coalition of 22 blue states and Washington, D.C., sued him. Multiple federal judges, including one appointed by former President George W. Bush and another by President Ronald Reagan, agreed with the open-borders lawfare activists that anyone born here is a citizen. So even "conservative" judges blocked the order.

That case will almost certainly land in front of the U.S. Supreme Court, which might well decide against Trump to declare that the 14th Amendment, as the plaintiffs erroneously claim, does indeed confer citizenship on any human being born in the United States. But that frightening prospect aside — the millions of illegal aliens President Joe Biden unlawfully admitted to the nation would drop anchor babies as quickly as they could — Trump's other executive orders are working, and working well. Trump declared a national emergency at the border. He blocked the entry of aliens until he decides that the illegal-alien invasion at the Southwest border, sponsored and subsidized by his predecessor, is over. He ordered the military to secure the border, and he declared that the drug cartels that operate there are terrorists. He temporarily halted refugee admissions.

He also began the mass deportation of illegals, focusing on the dangerous criminals among them.

Trump is acting within his constitutional and statutory authority, and immigration might be the one area — within limits — in which he has near-dictatorial powers. He decides who enters the country and who is deported.

R. Cort Kirkwood is a longtime contributor to The New American. *He was a newspaperman for more than 25 years.*

Who Comes In

"America's sovereignty is under attack," the newly inaugurated president wrote on Day 1 in his order declaring a national emergency.

"Our southern border is overrun by cartels, criminal gangs, known terrorists, human traffickers, smugglers, unvetted military-age males from foreign adversaries, and illicit narcotics that harm Americans, including America," he continued:

> This invasion has caused widespread chaos and suffering in our country over the last 4 years. It has led to the horrific and inexcusable murders of many innocent American citizens, including women and children, at the hands of illegal aliens. Foreign criminal gangs and cartels have begun seizing control of parts of cities, attacking our most vulnerable citizens, and terrorizing Americans beyond the control of local law enforcement. Cartels control vast territories just south of our southern border, effectively controlling who can and cannot travel to the United States from Mexico. Hundreds of thousands of Americans have tragically died from drug overdoses because of the illicit narcotics that have flowed across the southern border.

Thus, in a companion order, "Guaranteeing the States Protection Against Invasion," Trump ended the entry of aliens, citing his authority under the Immigration and Nationality Act (INA), Section 212(f):

> *Whenever the President finds* that the entry of any aliens or of any class of aliens into the United States would be detrimental to the interests of the United States, *he may by proclamation, and for such period as he shall deem necessary*, suspend the entry of all aliens or any class of aliens as immigrants or nonimmigrants, or impose on the entry of aliens any restrictions he may deem to be appropriate [Emphasis added.]

Noting that a federal court wrote that the statute "exudes deference to the President in every clause," Trump explained that the "INA renders it unlawful for 'any alien to depart from or enter or attempt to depart from or enter the United States except under such reasonable rules, regulations, and orders, and subject to such limitations and exceptions *as the President may prescribe*.'" (Emphasis added.)

In other words, the president's authority to control who enters and leaves the country is almost total.

Who Is Thrown Out

That same order requires the secretaries of state and homeland security, along with the attorney general, to begin deportations.

They "shall take all appropriate action to repel, repatriate, or remove any alien engaged in the invasion across the southern border of the United States," the order says, "whether as an exercise of the suspension power in section 212(f) and 215(a) of the INA, 8 U.S.C. 1182(f) and 1185(a), or as an exercise of my delegated authority under the Constitution of the United States, until I issue a finding that the invasion at the southern border has ceased."

The first statute permits Trump to control not only who enters the country, but also who stays here. The law declares that criminal illegal aliens — spies, perverts, prostitutes, money launderers, drug and human traffickers, and of course terrorists — are inadmissible. Also inadmissible are illegals who commit crimes in the United States. "Inadmissible" means they can be deported. The second statute permits the president to control who enters and leaves the country and concerns false and forged documents. But it, too, discusses inadmissibles.

Thus has border czar Tom Homan begun nationwide raids to round up criminal illegals, most notably members of the Venezuelan Tren de Aragua murder gang, which has established bases in several major cities: Aurora, Colorado; San Antonio, Texas; Chicago; and New York.

Trump is sending the worst of the worst to the Guantanamo Bay detention camp in Cuba, where 30,000 beds await. As of this writing, Immigration and Customs Enforcement (ICE) had arrested some 14,000 illegals, Homan told a local television station, and border crossings had dropped 92 percent. Homan also said some 600,000 illegals are criminals. In July, ICE reported that almost 700,000 criminal illegals, including more than 13,000 murderers and more than 25,000 rapists and other sex criminals, are running free in the country.

All of them can and should be deported.

Yet federal authorities are required to detain illegal aliens even if they aren't violent criminals. As Homan patiently explained to U.S. Representative Alexandria Ocasio-Cortez (D-N.Y.) during a congressional hearing, "When you enter the country illegally it's a violation of 8 United States Code 1325."

But "seeking asylum is legal," the former bartender and far-left congresswoman replied.

"When you want to seek asylum, you go through a port of entry and do it the legal way. The attorney general of the United States has made that clear," Homan responded.

Or, as Andrew Arthur of the Center for Immigration Studies explained about the Biden administration's unlawful "parole" program, which involved releasing illegals at the border, section 235 of the INA gives the Department of Homeland Security (DHS) "two options when it encounters aliens at the border who either entered illegally or sought admission at the ports without proper documents":

> First, section 235(b)(1) of the INA enables DHS to process those illegal migrants for "expedited removal," under which they can be removed without appearing before an immigration judge, unless the alien claims a fear of harm upon return or requests asylum.
>
> If aliens in expedited removal do claim fear, they are interviewed by an asylum officer to determine whether they have a "credible fear" of return. If the asylum officer makes a positive credible fear finding (which usually happens, because the standard is low), the alien is placed into removal proceedings before an immigration judge to apply for asylum.
>
> Alternatively, under section 235(b)(2) of the INA, DHS can skip expedited removal, charge those aliens with inadmissibility, and place them directly into removal proceedings.
>
> Regardless of whether those migrants are processed under section 235(b)(1) of the INA for expedited removal or section 235(b)(2) of the INA for regular removal, however, *they are supposed to be detained throughout the entire process* —

AP Images

He means business: Border czar Tom Homan has said sanctuary-city officials will be arrested for harboring illegals if they refuse to cooperate with or impede arrests by Immigration and Customs Enforcement.

AP Images

Criminal? Denver Mayor Mike Johnston vowed rebellion and insurrection to stop ICE raids, warning that he would station city cops at the county line along with "50,000 Denverites" to stop ICE agents from entering the city.

> *from apprehension to removal or admission*.
>
> There is an exception to that detention mandate, which allows DHS to "parole" inadmissible aliens.… Parole is a very limited authority that Congress has provided to DHS, and it enables the agency to allow inadmissible aliens to enter the United States without being formally admitted. In this context, those aliens are released from custody while their cases are pending. [Emphasis added.]

In other words, Trump is well within his authority to arrest and detain for deportation *any illegal alien*, his non-immigration-related crimes regardless — and no matter what the Big Apple's legendary mixologist thinks.

Sanctuary Cities Rebel

Despite Trump's authority to do what he's doing — i.e., arrest and deport illegals — sanctuary cities have vowed to stop him. They protect the illegals by refusing to cooperate with ICE.

Just as 22 states and Washington, D.C., have conspired to fight Trump's birthright citizenship order, cities and states have joined a nationwide criminal conspiracy to block arrests. Officials in Boston, Seattle, Minneapolis, San Francisco, and San Diego County, along with the governors of Oregon and Massachusetts, have promised to not cooperate with ICE. The mayor of Denver, Mike Johnston, vowed rebellion and insurrection.

Far-left Boston Mayor Michelle Wu promised to fight Trump "in every possible way." The Bay State's governor, Maura Healey, warned that the state would use "every tool in the toolbox" to harbor illegals. Oregon's lesbian headmistress, Tina Kotek, promised much the same, as did the sheriff of San Francisco.

But Johnston stepped into the breach even more boldly. He promised to deploy a phalanx of cops at the county line to stop ICE from entering the city: "More than us having DPD [Denver police] stationed at the county line to keep them out, you would have 50,000 Denverites there.… You'd have every one of those Highland moms who came out for the migrants. And you do not want to mess with them."

Homan and Acting Deputy Attorney General Emil Bove have replied to all this by saying that any officials who refuse to cooperate on arrests or otherwise impede ICE officers will be charged with myriad crimes.

Homan laid down the law for Wu. "She helps us or she gets the hell out of the way, because we're going to do it," he told Newsmax:

> There's a clear line here, and they can't cross that clear line. I will suggest she read Title 8, United States Code 1324 III, that says you can't harbor or conceal an illegal alien from federal law enforcement officers….
>
> They can not cooperate, but there are certain laws in place that they can't cross, and I hope she doesn't cross it.

The statue against harboring — again, 8 U.S. Code 1324 — is clear. "Any person" who knowingly brings in, harbors, or transports an illegal alien faces hefty fines and imprisonment. That includes sanctuary officials, mayors, and governors. On that note, the governor of New Jersey, Phil Murphy, confessed he was hiding an illegal alien his home. Homan's reply: You will be arrested.

In an Inauguration Day memo to Department of Justice (DOJ) employees, notably the 93 U.S. attorneys nationwide, Bove promised to charge officials for harboring, and explained that another federal statute, 8 U.S. Code 1252, takes away the power of judges to stop deportations: "No court shall have jurisdiction to review any final order of removal against an alien who is removable by reason of having committed a criminal offense."

Bove also cited the Supremacy Clause of the U.S. Constitution, which says that document "shall be the supreme law of the land; and the judges in every state shall be bound thereby, anything in the Constitution or laws of any State to the contrary notwithstanding."

The Supremacy Clause does not mean the states retain no rights, apropos of the Ninth and 10th Amendments. They say that rights enumerated in the Constitution do not abrogate others retained by the people, and that powers not delegated to the government in the Constitution are reserved to the states and people. The clause does mean that state and local officials must "comply with the Executive Branch's [constitutional] immigration enforcement initiatives," as Bove wrote. Enforcing immigration law and border control has long been a federal responsibility. Wrote Bove:

> Federal law prohibits state and local actors from resisting, obstructing, and otherwise failing to comply with lawful immigration-related commands and requests pursuant to, for example, the President's extensive

> Article II authority with respect to foreign affairs and national security, the Immigration and Nationality Act, and the Alien Enemies Act.

U.S. attorneys will investigate "for potential prosecution" mulish officials who defy the law. That would include harboring illegals, conspiracy against the United States, and violating the Immigration and Nationality Act, which criminalizes blocking the enforcement of federal immigration laws by refusing to share information about illegals.

DOJ Sues

Pursuant to that memorandum, DOJ has sued the city of Chicago, the state of Illinois, and both New York City and state in U.S. district courts. Their sanctuary laws protect deportable illegal aliens, the lawsuits explain. Both lawsuits are three-count claims anchored in the Supremacy Clause. Count 1 argues that the clause preempts New York from making laws that impede federal immigration enforcement. Count 2 avers that the sanctuary laws unlawfully regulate the federal government. Count 3 alleges unlawful discrimination against federal immigration agents.

State and local officials in Illinois are "oftentimes affirmatively thwarting" the enforcement of immigration laws, the lawsuit argues, resulting in "countless criminals being released into Chicago who should have been held for immigration removal from the United States."

Two state laws, the Way Forward Act and the TRUST Act, the lawsuit says, forbid state officers "from complying with immigration detainers or civil immigration warrants; they are also prevented from entering into agreements to detain noncitizens for federal civil immigration violations."

Chicago's Welcoming City Ordinance stops law enforcement there from giving ICE "basic information about noncitizens who are in their custody and are subject to federal immigration custody, including custody status or release date, and [from providing] federal officers access to such individuals to effect their safe transfer to federal immigration custody when presented with a federal administrative warrant." Also in Illinois, Cook County's Ordinance 11-O-73 does the same thing.

Thus, the city and state "intentionally obstruct the sharing of information envisioned by Congress, including basic information such as release dates and custodial status, thereby impairing federal detention of removable aliens, including dangerous criminals, as required by federal law," the lawsuit avers:

> They further purport to direct federal officials to procure criminal arrest warrants in order to take custody of removable aliens, even though Congress has made an explicit policy choice that such removals can be effectuated by civil arrest warrants for immigration enforcement; and they facilitate the release of dangerous criminals into the community by directing local employees to refuse to transfer such aliens to federal officials in a secure Environment — thereby resulting in their release onto the streets, where they all too often reoffend and commit serious crimes.

New York's Green Light Law blocks sharing Department of Motor Vehicles information about illegals with federal authorities. "Federal immigration law expressly preempts state and local laws that restrict sharing information with the Federal Government 'regarding the immigration status … of any individual.' *See* 8 U.S.C. § 1373(a)," the lawsuit says.

Johnston likely doesn't know it, but were he to cordon off the city with cops and "moms" to stop ICE from arresting illegals, he would violate 18 U.S. Code Section 2383, which criminalizes insurrection and rebellion:

> Whoever incites, sets on foot, assists, or engages in any rebellion or insurrection against the authority of the United States or the laws thereof, or gives aid or comfort thereto, shall be fined under this title or imprisoned not more than ten years, or both; and shall be incapable of holding any office under the United States.

Such an act could invite Trump to call in the National Guard to enforce the law, which would not end well for Johnston. Nor will this recalcitrance and refusal to obey the law end well for other blue city or state sanctuaries and their officials.

"They need to educate themselves," Homan told Fox News. "They need to review this. Title 8, United States Code 1324 III. Read about that and don't cross that line because it is a felony to harbor and conceal an illegal alien from ICE. Read the statute. Don't cross that line."

They have been crossing that line for some time. Now Trump and the Department of Justice, in addition to arresting illegal aliens, can begin arresting the officials who for years have violated the law against harboring, and who are now engaged in a nationwide criminal conspiracy to continue violating that law. ■

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It's in there: Though President Trump's executive orders seem dictatorial to some far-left Democrats, those concerning immigration are well within his constitutional authority.

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AP Images

TRUMP'S TARIFFS
Constitutional, or Executive Overreach?

Presidents have imposed tariffs on foreign imports for generations. Yet under the Constitution, this power belongs to Congress, not the president.

by Joe Wolverton II, J.D.

Few issues in American history have been as contentious, cyclical, and politically charged as tariffs. From the earliest years of the Republic to President Donald Trump's recent economic policies, tariffs have served as both a cornerstone of government revenue and a flashpoint for economic conflict. While some have championed tariffs as a crucial tool for protecting American industries, others have viewed them as economic barriers that raise consumer prices and invite retaliation from trading partners.

While arguments as to the merits (or lack thereof) of tariffs might be important, more pressing in this current political environment is the question of whether or not Donald Trump, or any president, actually has the constitutional authority to unilaterally enact tariffs.

Before answering that question, we will explore the origins, historical applications, and consequences of tariffs in the United States, particularly in light of Trump's ambitious efforts to reshape America's trade relationships.

Colonial and British Foundations

The story of tariffs in America does not begin with independent U.S. policy, but rather under British rule, when tariffs were used as a primary means of economic control over the American Colonies. The British Empire, operating under mercantilist principles, sought to maximize exports while limiting imports to maintain its wealth and power. As part of this system, Parliament imposed heavy trade restrictions on the Colonies, ensuring that raw materials from North America were sent back to Britain, while manufactured goods from England were shipped to the Colonies at inflated prices.

The Navigation Acts, first enacted in 1651, were the clearest expression of British economic dominance over the Colonies. These laws prohibited American merchants from trading freely with other nations, mandating that certain goods — including tobacco, sugar, and cotton — could be exported only to England or other British-controlled territories. This ensured that Britain collected tariffs on virtually all Colonial trade, enriching the Crown while simultaneously stifling economic independence in America.

The situation worsened in the 18th century, as Britain began imposing even more restrictive and punitive tariffs to offset its own financial troubles. The Sugar Act of 1764 and the Stamp Act of 1765

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were two such measures. They were not merely financial burdens — they were political provocations that ignited resentment throughout the Colonies. Patriots viewed these laws as an attack on their right to self-governance, leading to widespread protests and, eventually, revolution.

The Boston Tea Party of 1773, often remembered as a symbolic act of defiance against taxation, was in reality a direct protest against British-imposed tariffs on imported goods. When the Colonies declared independence in 1776, they were rejecting not merely British political rule, but also British economic domination. The United States, from its inception, sought to control its own trade policies, free from the tariff burdens imposed by foreign powers.

Tariffs in the Early Republic

Following the Revolutionary War, the newly formed U.S. government faced an urgent question: How would it fund itself without resorting to the type of direct taxation that had fueled Colonial rebellion against Britain? The Constitution granted Congress the power to impose tariffs, and it was quickly determined that tariffs would serve as the primary funding mechanism for the federal government.

One of the first major legislative acts of the new Congress was the Tariff Act of 1789, which levied duties on imported goods to raise revenue and protect American industries from foreign competition. For the next century, tariffs would remain the single largest source of federal income, financing the government without the need for income taxes. This period in U.S. history is often cited by advocates of limited government as proof that a nation can function without an oppressive tax burden on its citizens — so long as it maintains a strong tariff-based revenue system.

Despite the apparent success of tariffs in funding the government, disagreements over their economic impact emerged almost immediately. One of the first major policy battles in U.S. history revolved around tariffs, pitting Alexander Hamilton against Thomas Jefferson. Hamilton, serving as the first secretary of the treasury, championed high protective tariffs as a means to encourage American industrial growth. He believed that nurturing domestic manufacturing was essential for ensuring the United States remained independent from foreign powers, particularly Britain and France.

Jefferson, on the other hand, viewed tariffs with deep suspicion. As a proponent of agrarianism, he feared that high tariffs would benefit Northern manufacturers at the expense of Southern agricultural economies. Southern states, reliant on exporting cash crops such as cotton and tobacco, were wary of tariffs that could invite foreign retaliation and harm their ability to trade freely. This early divide between protectionists and free-traders would persist throughout America's history, reappearing in various forms even during Trump's presidency.

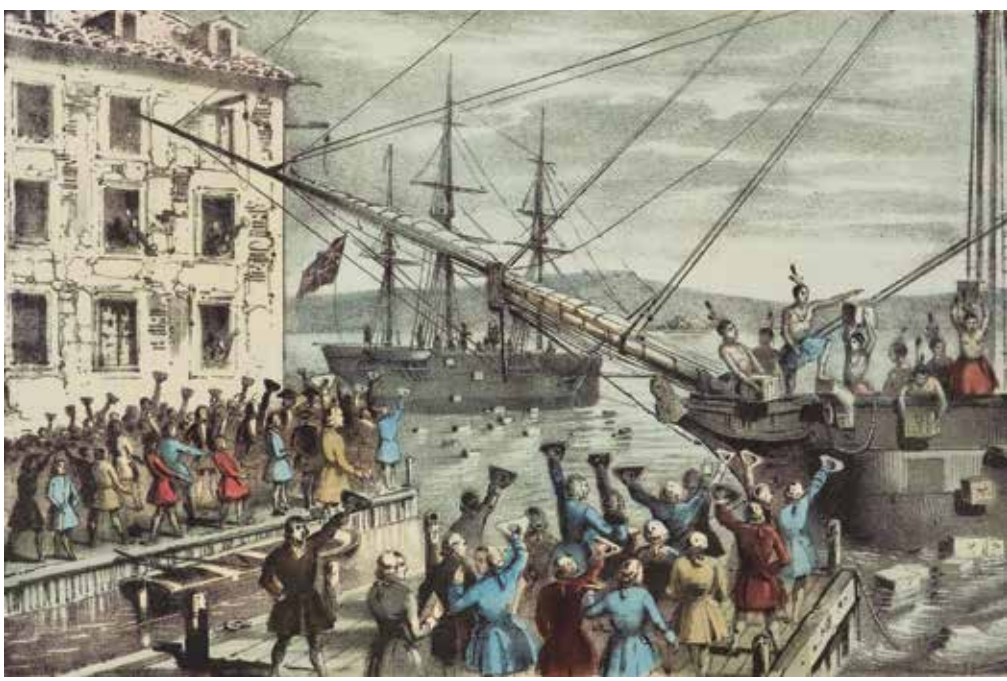
Protectionism and the Weaponization of Tariffs

By the 19th century, tariffs had become more than just a tool for revenue generation — they had evolved into an instrument of political warfare. One of the most infamous examples was the Tariff of 1828, known in the South as the "Tariff of Abominations." This tariff imposed steep duties on imported goods, benefiting Northern manufacturers while severely hurting Southern farmers.

South Carolina — led by U.S. Senator John C. Calhoun, who had been vice president under Andrew Jackson until 1832 — declared the tariff unconstitutional and sought to nullify it within the state. This led to a direct confrontation with the federal government, nearly triggering a civil conflict. President Jackson responded forcefully, threatening military action to enforce federal law. The Nullification Crisis, as it became known, set a precedent for federal authority over state economic policies. It also deepened sectional tensions that would ultimately lead to the Civil War.

South Carolina's defiance of the Tariff of Abominations in 1828, though met with federal resistance, forced Washington to reconsider its economic policies. The Compromise Tariff of 1833, brokered by Calhoun and U.S. Senator Henry Clay of Kentucky, gradually reduced tariff rates, proving that state opposition could check federal overreach and influence national economic legislation.

The Civil War further cemented tariffs as a cornerstone of federal economic policy. The Union relied on high tariffs to fund its war effort, while the Confederacy — deeply opposed to tariffs — lacked a comparable revenue stream. After the war, protectionist tariffs remained in place, fueling the rapid industrial expansion of the



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It was about the tariffs: The Boston Tea Party of 1773 was a response not to "taxation without representation," but to British-imposed tariffs on imported goods.

North but leaving Southern agricultural states economically disadvantaged.

The Shift to Free Trade and Globalism

As the 20th century progressed, the United States moved away from high protectionist tariffs toward a more open trade policy. This shift was not merely economic, but also political and diplomatic, as tariffs began to play a role in foreign relations. The change was prompted in part by the devastating consequences of the Smoot-Hawley Tariff — also known as the Tariff Act of 1930 — which remains one of the most infamous examples of tariff misuse in American history.

The Smoot-Hawley Tariff was passed during the onset of the Great Depression as a means to protect American farmers and manufacturers from foreign competition. The law drastically raised tariffs on more than 20,000 imported goods, with the expectation that it would stimulate domestic production and increase employment. However, the results were disastrous.

Instead of boosting the U.S. economy, the tariff triggered a wave of international retaliation. Countries that had previously been major trading partners of the United States — including Canada, Britain, France, and Germany — responded by imposing their own tariffs on American goods. As a result, global trade plummeted, worsening America's economic downturn.

The effects of Smoot-Hawley were so severe that many economists blame it for prolonging and deepening the Great Depression. It served as a cautionary tale for policymakers, convincing many in Washington that high tariffs could do more harm than good.

After World War II, the United States led a dramatic shift toward free trade, seeking to prevent economic conflicts that could lead to future wars. In 1947, the United States was instrumental in establishing the General Agreement on Tariffs and Trade (GATT), which laid the foundation for reducing global trade barriers. Over the next several decades, tariffs were gradually lowered through international negotiations, culminating in the creation of the World Trade Organization (WTO) in 1995.

One of the most controversial trade agreements of the late 20th century was the North American Free Trade Agreement (NAFTA), signed in 1992 between the United States, Canada, and Mexico. NAFTA, which went into effect in 1994, eliminated most tariffs between the three nations, facilitating a massive increase in cross-border trade.

While proponents of NAFTA claimed it boosted economic growth and lowered consumer prices, critics pointed out that it accelerated the outsourcing of American jobs to Mexico, where labor costs were significantly lower. Many manufacturing towns in the United States suffered job losses, fueling resentment among working-class Americans — a frustration that Donald Trump would later capitalize on in his 2016 presidential campaign.

Library of Congress

Architects of disaster: Representative Willis C. Hawley (R-Ore., left) and Senator Reed Smoot (R-Utah, right) sponsored the Tariff Act of 1930, known as the Smoot-Hawley Tariff. Instead of protecting American farmers, the tariff triggered a trade war.

A Return to Protectionism, or "America First" Policy?

President Donald Trump's trade agenda marked a dramatic departure from the globalist policies of previous administrations. From the start of his 2016 campaign, Trump vowed to revitalize American industry by imposing tariffs on countries that had been taking advantage of the United States through unfair trade practices.

Trump criticized past free-trade agreements, arguing that they had weakened American manufacturing, led to job losses, and made the country too dependent on foreign suppliers — particularly China. His "America First" economic policy was built on renegotiating trade deals, imposing tariffs on imports, and reducing reliance on foreign nations for essential goods.

Trump's first term saw several rounds of tariffs, targeting both rival economies, such as China, and longstanding allies, such as Canada and the European Union.

One of his most consequential tariff moves came in March 2018, when he imposed a 25-percent tariff on imported steel and a 10-percent tariff on imported aluminum, citing national security concerns. Trump argued that the domestic steel and aluminum industries needed protection to ensure that the United States could remain self-sufficient in times of war or crisis.

A more aggressive trade war with China followed soon after. In 2018 and 2019, Trump slapped tariffs on hundreds of billions of dollars' worth of Chinese

goods, seeking to punish China for intellectual property theft, currency manipulation, and unfair trade practices. China retaliated by imposing its own tariffs on American agricultural products, which hit U.S. farmers particularly hard.

Trump had no sooner lifted his hand from the Bible after taking his oath of office for his second term before he took decisive action to protect American interests by imposing strategic tariffs on key trading partners. On February 1, 2025, he signed executive orders enacting a 25-percent tariff on all imports from Canada and Mexico, with a reduced, 10-percent tariff specifically for Canadian energy exports, including oil and natural gas. Simultaneously, a 10-percent tariff was levied on all imports from China.

These measures were designed to address pressing issues such as illegal immigration and the influx of illicit drugs, notably fentanyl, into the United States. By holding these nations accountable, President Trump aimed to compel them to take stronger actions in curbing these problems. Moreover, the new tariffs sought to rectify long-standing trade imbalances, fostering a more equitable economic landscape for American industries and workers.

Trump claims his tariffs are a necessary step toward long-term economic independence. He famously declared, "Trade wars are good, and easy to win." However, even among Trump supporters, there is debate about whether his tariff policies ultimately will help or hurt the U.S. economy.

But are the Trump tariffs even constitutional? In other words, does the president, rather than Congress, have the authority to enact tariffs?

AP Images

Signing away tariffs: The North American Free Trade Agreement (NAFTA), here being signed in 1992 by U.S. President George H.W. Bush, went into effect in 1994. It eliminated most tariffs between Canada, the United States, and Mexico, and has been blamed for a loss of U.S. manufacturing jobs.

The Rise of the Executive Tariff

Good policy or not, the Smoot-Hawley Tariff was — like all tariffs enacted prior to it — undeniably constitutional. After all, the U.S. Constitution clearly and unambiguously delegates to Congress, in the very first clause of Article I, Section 8, the authority "to lay and collect Taxes, Duties, Imposts and Excises" — "duties" being a synonym for tariffs. Two clauses later, the Constitution also vests in Congress the power "to regulate commerce with foreign nations." So why is the executive branch, in the person of the U.S. president, now seemingly authorized to impose discretionary tariffs, and to dictate trade policy in general, without congressional approval?

The answer is as convoluted as it is underappreciated by the American public at large. The Smoot-Hawley Tariff became the official scapegoat for the Great Depression because the powers-that-be wanted (and still want) to conceal the real culprit for the catastrophe. The primary reason for the debacle, left out of most modern histories, was the unrestrained monetary expansion of the new Federal Reserve System during the Roaring Twenties, which led to a monstrous asset bubble that burst famously in October 1929. Although economist Murray Rothbard correctly diagnosed the 1929 crash and the ensuing depression as monetary phenomena in his magisterial history of those events, *America's Great Depression*, the inflationary causes of the Great Depression have been minimized by court economists. Accordingly, the Smoot-Hawley Tariff became the official culprit, and provisions were made to transfer power over tariffs from the legislative to the executive branch.

The first step taken in this direction was the Reciprocal Trade Agreements Act of 1934 (the RTAA, otherwise known as the Reciprocal Tariffs Act), signed into law by President Franklin D. Roosevelt in June 1934. Like all other revolutionary New Deal legislation, the RTAA codified a massive new writ of executive power — in this case, a transfer of authority over all bilateral tariffs up to levels of 50 percent from Congress to the president. FDR, of course, used his new power to counteract the punitive tariffs of Smoot-Hawley, negotiating dozens of bilateral trade agreements over the rest of his long presidency. Although the RTAA was only authorized for three years following its first passage, it was re-authorized over and over, eventually becoming incorporated into the aforementioned GATT.

The authority of the president to impose tariffs and negotiate other trade agreements was expanded to include multilateral agreements in 1962 via the Trade Expansion Act. Section 232 of this act empowers the president to impose tariffs pursuant to a recommendation by the secretary of commerce to the effect that some imported good presents a national security threat. Because of the way that

tariffs had been thoroughly discredited in the public eye, this provision was seldom invoked, and, from the inception of the WTO in 1995, lay completely dormant until being revived by President Trump in 2018, when he imposed tariffs on steel and aluminum.

Twelve years after the passage of the Trade Expansion Act, Congress ceded still more authority over trade and tariffs to the U.S. president. The Trade Act of 1974 not only gave the president filibuster- and amendment-proof "fast track" authority to advance trade deals, it also enhanced the president's authority to adjust tariff rates in the name of protecting American workers and to take retaliatory measures against foreign countries deemed to be engaging in unfair trade practices.

Over the past 90 years, these three pieces of legislation have consecrated the grievous precedent that, for "reasons of state," the president and not Congress should have decisive authority over tariffs and over trade policy writ large, explicit constitutional writs of authority to the legislative branch notwithstanding.

It is important to note that the RTAA, the Trade Expansion Act, and the Trade Act of 1974 were all given additional heft by virtue of their inclusion in multilateral global trade protocols, from the various "rounds" of GATT negotiations to the WTO itself. This state of affairs reflects the illegitimate globalist posture that tariffs should be a rare expedient — but when resorted to, should be an executive, rather than a legislative, prerogative.

That this conceit has been incorporated so successfully into American political assumptions is a testament to the effectiveness of globalist and Marxist propaganda, which has always portrayed tariffs as a uniquely vicious, pro-capitalist form of taxation.

It is difficult to appreciate today the ferocity with which radical leftists such as the Fabians attacked tariffs as one of the principal bugbears of venal capitalist exploiters. But it was this sort of cant that ultimately persuaded Americans and their political leaders to repudiate congressionally enacted tariffs in favor of presidential edicts.

Also largely forgotten is that, until well into the 20th century, tariffs were the primary (and often the only) means of raising federal revenue — and that Section 7 of Article I requires all bills for the raising of revenue to originate in the House of Representatives.

By way of contrast, imagine the hue and cry that would be raised were Congress to decide to cede to the president the authority to levy income taxes in order to promote national security, or to protect American workers, or under any other specious pretext. Strenuous objections would rightfully be raised, especially if the president tried to use that authority to punish "woke" corporations or any other entities viewed as being out of line with executive policy objectives.

In general, no branch of the federal government has the authority to cede any of its constitutionally delegated powers to another branch; otherwise, the entire premise of separation of powers is null and void. But this is precisely what Congress has done with tariffs, trivializing a once-core function of the federal government in the name of radical-left priorities such as the income tax and an inflationary monetary system.

The principle of separation of powers is not an abstraction; it is the very foundation of our constitutional order. The Framers of the Constitution understood that concentrated power was the great enemy of liberty. To prevent its accumulation, they carefully divided authority among the three branches of government, ensuring that no single branch could amass unchecked control over the levers of power. This principle is violated when Congress delegates its exclusive legislative power over tariffs to the executive.

In fairness to President Trump, he does seem to appreciate the historical prominence of tariffs and some of the reasons for their willful neglect. He has expressed a wish to return to a tariff system as the primary means of funding the federal government. But the goal should also be to restore a constitutionally legitimate system of tariff enactment — that is, having Congress, not the president, enact them. While it is certainly true that tariffs have a fraught history, the same could be said of all other forms of taxation. Our country was born amid controversy over a series of taxes, enacted by Parliament and the king without any Colonial input, and it is unlikely that, as long as earthly governments last, contention over taxation will ever subside. ■

AP Images

Protect the metal: Donald Trump claims tariffs will protect important domestic industries such as steel and aluminum production. Others claim such tariffs would only raise prices for U.S. manufacturers and spark a trade war.

AP Images

TRUMP'S EXPANSIONIST PLANS

The Panama Canal, Greenland, Canada, Gaza: Here we take a hard look at what is constitutional and makes good sense — and what doesn't.

by Paul Dragu

There is reason to suspect President Donald Trump wants to make America not only great again, but bigger — the biggest ever.

The president has made repeated overtures to Canada, Greenland, the current operators of the Panama Canal, and the future Riviera of the Mediterranean — the fixer-upper that is the Gaza Strip. Clever negotiation tactics aside, Trump almost assuredly harbors some degree of genuine desire to make America bigger. This isn't just 4-D chess we're watching. But hopefully, his personal affinity for real estate and the type of competitive nature that would incentivize him to try to get his name in the Guinness World Records book for Best President Ever do not cloud his judgment.

Trump is likely serious about acquiring Greenland. The same goes for the Panama Canal. Both include legitimate national-security implications and stirred similar conversations before Trump ever ran for president. In the case of the Panama Canal, the transfer of the canal to Panama was illegal because both parties did not agree to the same treaties. But before we get into that, let's review what the United States owns and how that came to be.

Paul Dragu is a senior editor for The New American.

Building the Empire

After the Americans defeated the British in the War of Independence, their spoils included all the land between the Atlantic and Mississippi, from Canada to Florida. Twenty years later, in 1803, President Thomas Jefferson paid Napoleon $15 million for the Louisiana Territory stretching from New Orleans into Canada and far, far west, essentially doubling the size of the country. Then in 1819, the United States bought Florida from Spain after frustrations centered on the latter's inability to contain the Seminole Indians.

A 26-year expansion lull was broken when President John Tyler added the Lone Star Republic to the Union. Tyler bought Texas while serving his last day in office in 1845. The next year, the U.S. army invaded Mexico. They eventually negotiated a peace deal that netted America what eventually became the Southwest and California. Afterward, Mexico sold what would become part of the states of New Mexico and Arizona in the Gadsden Purchase of 1854. Then, after the Civil War ended, Secretary of State William Seward tried to buy the islands of Greenland, Iceland, St. Thomas, and the Dominican Republic. He failed, but he did strike gold with the purchase of Alaska from Russia for $7.2 million.

Within a span of 67 years, the United States had become among the three largest countries in the world. But the expansion didn't stop there. As conservative author, commentator, and Republican presidential candidate Pat Buchanan noted in a 2019 column:

> After the Spanish-American War of 1898, William McKinley would make us an imperial power by an-

nexing Puerto Rico, Hawaii, Guam and the Philippines, the last in a brutal war that cost 200,000 Filipino lives.

McKinley's successor, Theodore Roosevelt, would engineer the secession of Panama from Colombia and America's acquisition of the Canal Zone. "I took Panama!" boasted T.R.

Ronald Reagan's opposition to [President] Jimmy Carter's transfer of the Canal Zone and the canal itself to Panama would prove crucial to Reagan's 1980 nomination and rout of Carter in a 44-state landslide.

The Philippines no longer belong to America, but Puerto Rico, Hawaii, and Guam do, as do the U.S. Virgin Islands and Northern Mariana Islands.

Public Domain

Westward growth: The purchase of the Louisiana Territory from France in 1803 marked the first major expansion of the United States. Depicted here is the ceremony marking the transfer of the territory.

Reclaim Our Canal!

Among the four territorial acquisitions Trump has floated, the Panama Canal makes the most sense. The United States dedicated more than $300 million, a decade's worth of time, and more than 20,000 lives to the construction of the canal. Roosevelt had it built between 1904 and 1914 for economic as well as military advantages. But in 1977, Carter signed the Carter-Torrijos Treaties, putting in motion the transfer of the canal to Panama, which happened December 31, 1999.

The Trump administration should negotiate a deal to undo Carter's foolish, illegal transfer of the Panama Canal and get it back under U.S. control before the Chinese take it over.

China's regional encroachment is among the main reasons Trump has cited for wanting the canal back. This dilemma was predictable. The January 31, 2000, print issue of *The New American* includes an article by senior editor William F. Jasper titled "Reclaim Our Canal!," with a subtitle that proves true yet again the warnings of this magazine. It reads, in part, "If not reversed, this illegal and invalid transfer will allow Red China to turn the Canal into an enemy stronghold."

China has been tightening its hold on the Panama Canal for many years now, and the Panamanian government has allowed Chinese subsidiary Hutchison Ports to operate ports on both sides of the canal. As a Chinese company, it is legally obligated to obey Chinese government edicts, including a potential order to shut down the canal to the United States. Also, Chinese companies are now building a bridge across the canal. This project is expected to last up to a decade, and it could give China an excuse to shut down this strategic waterway to American shipping. More than 40 percent of American container traffic goes through the Panama Canal, so a shutdown would be economically devastating.

In his article, Jasper makes the case that the treaties that led to the transfer of the canal to Panama are null and void because the parties involved didn't agree to the same documents. When Carter gave the canal away, he did not inform the Senate that the treaties it had ratified were entirely at odds with the final versions adopted by Panamanian Marxist dictator Omar Torrijos:

> In order for the treaties to be legal, it was necessary for President Carter to resubmit them to Congress to accept or reject Panama's changes. He did not do this. Instead, he hid from Congress the fact that changes had been made.

Jasper's assertion echoes that of treaty expert Dr. Charles H. Breecher, who noted during his testimony before the Subcommittee on Separation of Powers of the Senate Judiciary Committee on June 23, 1983:

> The Panama Canal treaties have not — I repeat, not — been ratified in international law, and they therefore did not go into effect on the 1st of October 1979, and are not in effect now.
>
> The reason is very simple. In their respective instruments of ratification, the United States and Panama did not agree to the same text of the treaties. Instead, Panama first agreed to the treaties as the President of the United States had ratified them, pursuant to Senate advice and consent, and then added in both its instruments of ratification, unilaterally, something they called an understanding, on which Panama made its agreement to the treaties contingent.

Breecher made another interesting point:

> My second point is that the U.S. Constitution unequivocally bars the President of the United States from

> appointing Panamanians, nonresident aliens — and I repeat, nonresident aliens — as members, administrators or deputy administrators of the Panama Canal Commission, a U.S. Government agency.

TNA's parent company, The John Birch Society, has created a legislative alert to help Americans pressure their U.S. representative and senators to support legislation that would declare the Carter-Torrijos Treaties null and void. You can learn more at https://jbs.org/canal/.

Greenland: If at First You Don't Succeed, Try Again — and Again

As noted above, Abraham Lincoln's secretary of state, William Seward, who spearheaded the purchase of Alaska, also tried to buy Greenland (in addition to Iceland, St. Thomas, and the Dominican Republic). He failed, but that wasn't the last attempt to acquire the Arctic island, which is overflowing with oil, natural gas, and a long list of mineral resources including rare earth metals, graphite, copper, nickel, zinc, gold, diamonds, iron ore, titanium, vanadium, tungsten, and uranium.

In 1910, U.S. ambassador to Denmark Maurice Egan proposed a three-way trade that would have made Greenland a U.S. territory. The proposal was this: Denmark would cede Greenland to the United States, and in exchange the United States would give Denmark a group of islands in the Philippines, after which Denmark would turn around and give those islands to Germany in exchange for the Schleswig-Holstein territory Denmark had recently lost. But nothing came of it.

In 1941, the United States made a pact with Denmark that rendered America responsible for Greenland's defense during World War II. This gave the U.S. military permission to build facilities to land its planes. The Pentagon saw Greenland as the world's largest aircraft carrier, and the military used the island as a refueling stop for bombing runs into Germany. Top officials in the U.S. government so appreciated the strategic asset the island proved to be during the war that State Department officials offered Denmark $100 million in gold for it. But, once again, the answer was no.

Nevertheless, in 1951 the United States signed a new treaty with Denmark that provided wider military latitude to use Greenland as a base of Arctic operations. The U.S. military built the massive Thule Air Base on the northwest coast of Greenland. Its construction has been compared to the Panama Canal because of its complexity. According to History.com:

> The project required 12,000 workers and shipments of 300,000 tons of cargo. At the peak of the Cold War, the Thule Air Base in Greenland housed 10,000 American troops. The base gave the U.S. a rapid response to Soviet nuclear threats, since American bombers taking off from Thule could reach targets like Leningrad and Moscow in a matter of hours.… According to a memo addressed to President Dwight Eisenhower from his Secretary of Defense, the Pentagon was still very interested in buying Greenland as late as 1955, but no official offer was made.

The U.S. military is still in Greenland today, but Thule Air Base was transferred to the U.S. Space Force in 2020 and is now called the Pituffik Space Base.

Greenland now operates as a pseudo-sovereign nation, with Denmark involved in defense and foreign affairs. The island is sparsely populated, with fewer than 60,000 citizens. Most are Inuit peoples, and 10 percent are of Norse ancestry. In February 2024, Greenland's government declared its desire for full independence, and the people of Greenland are expected to hold an independence referendum this year.

General H.H. "Hap" Arnold once said, "If there is a third world war, its strategic center will be the north pole." In 2025, 157 years after Seward's attempt to buy Greenland, the United States is once again seriously eyeing the frosty island. Even before his inauguration, Trump announced he was looking at Greenland, posting on Truth Social: "For purposes of National Security and Freedom throughout the World, the United States of America feels that the ownership and control of Greenland is an absolute necessity."

As with the Panama Canal, the Greenland issue centers around the China problem. In November, Alexander Gray, a senior fellow at the American Foreign Policy Council and former chief of staff of the National Security Council under Trump,

U.S. Space Force photo by Senior Airman Kaitlin Castillo

Military presence: While the United States has made several unsuccessful attempts to purchase Greenland, the island did allow construction of the Thule Air base, now the Pituffik Space Base. President Trump has once again raised the issue of buying the Danish territory.

AP Images

Foreign entanglement: Perhaps no U.S. foreign policy decisions have been more detrimental to U.S. and global security than those regarding the Middle East. Intervention there must end if America is to regain her independence and security.

penned a *Wall Street Journal* op-ed titled "Why Trump Really Should 'Buy' Greenland." Among his points:

> If [Greenland] separates from Denmark, it would be responsible for its own security, a task it is ill-equipped to handle.
>
> This is a grave concern given the second important development: Russia and China are threatening the status quo in the Arctic. Moscow has claimed significant chunks of the Arctic Sea, including inside Greenland's Exclusive Economic Zone.... China has declared itself a "near-Arctic state," [and] established a shipping network called the "Polar Silk Road" to bind Arctic communities closer to Beijing's economic and political agenda.… Western security and economic interests would be threatened if an independent Greenland surrounded by predatory foreign actors lacked outside protection. Mr. Trump has the chance to negotiate the deal of the century.

That may be so, but it won't be easy. Greenland's head of government, Múte Bourup Egede, responded to Trump's overtures this way: "Greenland is ours. We are not for sale and will never be for sale. We must not lose our years-long fight for freedom."

Moreover, Greenlanders align more with the socialist views of Denmark and Canada than the views of America. Nevertheless, if Trump does prevail where he failed in his first term and strike the deal of the century, the United States would possess six territories, with Greenland being the most strategic of them.

Canada and Gaza

Is Trump serious about making Canada the 51st U.S. state? Does he really think it's a good idea to take over Gaza and build hotels and golf courses there while displacing nearly two million people?

It's hard to tell. But something very interesting happened a few weeks after his bizarre press conference on Gaza: Egypt announced it would offer a "comprehensive proposal" to rebuild that strip of land and ensure that Palestinians remain there. Some believe this was exactly what Trump was trying to accomplish with his out-of-the-box proposal.

Unlike with the Panama Canal and Greenland, there is nothing to gain from taking Gaza. It is an absurd idea. The United States would perpetually be mired in conflict. Terrorists would plant bombs on the ninth hole. Westerners would be under constant attack. And whatever semblance of goodwill toward the United States still exists in the Middle East would be dispersed to the wind like the sands of the Arabian Desert. Moreover, decades of Arab suspicion that the ultimate goal of Israel and the West has been to push the people of Gaza completely out, once and for all, will be proven true. Trump needs not only to forget this idea, but to pull back all U.S. presence from the Middle East.

As for Canada, talking about making it the 51st state does nothing to help our relationship with our friends to the north. The United States is big enough already. It has natural resources galore, as well as plenty of domestic problems to address. As much as hunters and fishermen salivate at the idea of obtaining Canada, the time of expansion for the sake of adding to the empire is over.

If national security concerns regarding Greenland and the Panama Canal weren't legitimate, all conversations of expansion should be immediately dismissed. In fact, whatever happens with the Panama Canal and Greenland, the United States should leave every part of the world that is not America. There are nearly 800 U.S. military bases spread all over the world, with citizens back home paying the salaries of somewhere around 220,000 military personnel working at said bases. This hasn't made the world safer, and it certainly hasn't made America greater. What will make America greater is reversing its imperial policies and minding its own business.

On July 4, 1821, John Quincy Adams, who would become president in 1825, described a constitutional American foreign policy:

> [America] goes not abroad, in search of monsters to destroy. She is the well-wisher to the freedom and independence of all. She is the champion and vindicator only of her own.... She well knows that by once enlisting under other banners than her own ... she would involve herself beyond the power of extrication, in all the wars of interest and intrigue, of individual avarice, envy, and ambition, which assume the colors and usurp the standard of freedom.... She might become the dictatress of the world. She would be no longer the ruler of her own spirit. ■

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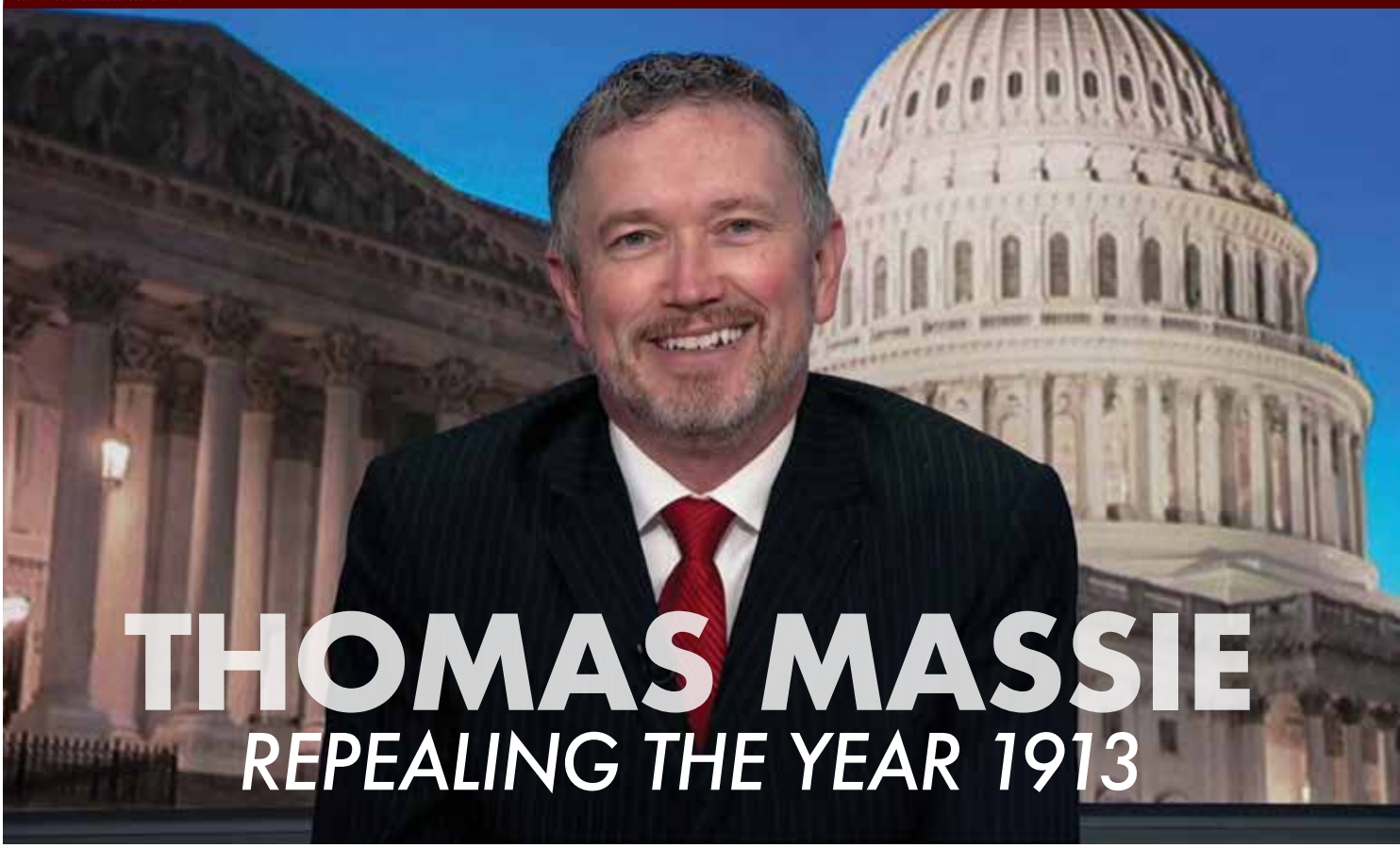

The New American

THOMAS MASSIE
REPEALING THE YEAR 1913

In an interview with *The New American*, Representative Thomas Massie (R-Ky.) discusses the Department of Government Efficiency (DOGE) and his bills to audit the Federal Reserve, abolish the Fed, abolish the Department of Education, and eliminate taxes on Social Security payments to seniors.

Interview by Christian Gomez

The New American recently interviewed Republican U.S. Representative Thomas Massie of Kentucky, who has garnered a reputation as the most constitutionalist member of Congress. Since first being sworn in on November 13, 2012, Massie has consistently championed constitutional principles, garnering a near-perfect 99-percent lifetime score in *The New American's* Freedom Index, which measures congressional votes for their alignment with the Constitution.

A frequent guest for video interviews with *The New American*, this is Massie's first interview with us during the 119th Congress. He discusses the Department of Government Efficiency (DOGE); his bills to audit the Federal Reserve, abolish the Fed, abolish the Department of Education, and eliminate taxes on Social Security payments to seniors; and his thoughts about replacing the income tax with tariffs to fund the federal government. The following is a transcript of a video interview originally recorded for *Unrestricted*, one of the shows available at TheNewAmerican.com/video, where this full interview is available. The transcript has been lightly edited for clarity.

The New American: On December 11, 2024, you tweeted on X, "DOGE is like the U.S. Constitution. It'll be great… if we can get my fellow lawmakers to follow it." Now that we've seen what DOGE has uncovered at [the U.S. Agency for International Development (USAID)] and at the Treasury Department, how optimistic are you about what Elon Musk and President Donald Trump could accomplish in this term?

Representative Thomas Massie: DOGE, I think, has three levers. One, they can just publicly humiliate anybody that's wasting the money up here. That's a pretty big lever, but I've been pulling on that lever myself for a while. That's hard to do. If you want to effect change, you've either got to do it through the executive branch or through the legislative branch.

Trump can take executive actions based on the things that DOGE finds. There's some question about the legality or constitutionality of whether a president can refuse to spend money that Congress has appropriated. So, ultimately, the safest bet is to take care of these things in legislation. For instance, DOGE found a lot of unsavory things in the USAID program. Trump

Christian Gomez is research project manager for The John Birch Society.

could just refuse to make those payments, or he could suspend those payments. Ultimately, that could become a court battle. What's going to have to happen is we need to defund all of that activity. Now there's a perfect opportunity coming up in March, because there was an argument back last December that we shouldn't do all of the spending bill. We should only do a CR [continuing resolution] in December and have it end in March, for a fiscal year that doesn't end until September of 2025. In other words, when March comes ... all of these USAID programs are automatically unfunded. In fact, the entire government, all of the discretionary spending, will not be funded come March.

TNA: Can we keep it that way?

Massie: [Laughs] Yeah. Yeah, right. But what's going to happen is they'll scream "government shutdown" and they'll say we need to get a bill passed really quick. And my big concern is that that bill has every penny for USAID that it had in it last year. So that's really going to be the showdown. I posted on X about how DOGE and the Uniparty are on a collision course, and I'm here for it. I can't wait for it to happen, because at that point President Trump's going to have to pick who his ally is here in Washington, D.C. Is he going to go with the DOGE folks that have found the waste, fraud, and abuse? Or is he going to go with the Uniparty that's represented by the current Republican leadership, frankly, and just keep funding all of those things. Ultimately, when Congress passes the spending bill, the president has to sign it. I would hope that, if the Uniparty packs that spending bill with the unsavory USAID programs, the president would veto it. But we'll see.

TNA: DOGE is going after Treasury, but another aspect of our economy that has not been touched on, at least not yet by DOGE, is the Federal Reserve. Would you like to see an audit of the federal Reserve? I think you have a bill about that. Can you tell us a bit about your bill, and why it's needed right now more than ever?

Massie: I'd love to talk about the bill to audit the Federal Reserve, H.R. 24. Every year I have to rush to the well of the House on the first day of Congress to introduce the "Audit the Fed" bill, so that I can get that H.R. 24. It comes up very early. Everybody — you can imagine with 435 congressmen — everybody's got a bill they want to put in on the first day. H.R. 24 would require a complete and total, transparent audit of the Federal Reserve. That bill has passed the House and gone to the Senate in the past, but not in this Congress. It hasn't passed the current House. But there should be no problem to pass the House this Congress. The thing is, when it gets to the Senate, you've got some senators over there [such as] Bernie Sanders, who, when he was in the House, supported an audit of the Fed. And then when he got to the Senate, he's like, well, I don't know about auditing the Fed. So it's a little harder to get it through the Senate. This is one of those bills that we should be doing in the first 100 days and putting it over there because it's completely in line with DOGE and some of the president's priorities, and just transparency to begin with. I'm also going to introduce another bill just to completely end the Federal Reserve, because that would be my preference. I just probably can't get that bill passed through the House yet.

TNA: When might we expect to see your bill to abolish the Federal Reserve introduced? And is there a number on that one yet?

Massie: We don't have a specific dedicated number to that one yet. We did introduce it last Congress. I can't even tell you what the number was because every Congress I get a different one. Although, I'm pretty excited about the H.R. number that they gave me for my bill to end the tax on Social Security payments to seniors. I just randomly got H.R. 1040 on my tax bill. It's a good sign. I think it's a sign from above that it's time to pass this bill. It would end the income tax that seniors have to pay on Social Security. This tax was passed in 1983, maybe implemented in '84 I think — actually under Reagan, with a Democratic Congress, I believe. And what they did is, in order to sustain the Social Security trust fund a little bit longer, they tried to create a perpetual motion machine. They said, we'll take money from Social Security recipients and put it back into the Social Security trust fund and that'll keep it going a little bit longer. And they were able to get away with it, back in the '80s, because they said we're only going to tax rich Social Security recipients. So they set the limit at something like $25,000. If you were retired and had

Mesut Dogan/Getty Images Plus

End the Fed: For years Representative Massie has introduced bills to audit the Federal Reserve. A full, transparent audit is often seen as the first step toward abolishing the Federal Reserve System.

JJ Gouin/Getty Images Plus

Double tax: The tax on Social Security payments now affects around 50 percent of recipients, according to Massie. His bill to end this tax is long overdue.

[We should] repeal the 16th Amendment, which enabled the direct taxation of people instead of going through the states, which went to the people and taxed their incomes.

over $25,000 of income, or $33,000 if you were filing jointly, your Social Security would get taxed.

Now, there weren't a lot of squeaky wheels then, because that only affected maybe five percent of Social Security recipients. But here's the thing, in 40-plus years, that number has not been updated and inflation has been rampant. We've seen 20-percent inflation in just the last few years, in total over maybe five years. The problem is now that tax affects — I would estimate over 50 percent of Social Security recipients are paying that tax. It's also a big disincentive for anybody to keep working into their golden years if they want to. So getting rid of the tax on senior citizens that's through their Social Security is a priority for me.

Some would say, if you don't tax them and put it back in Social Security, Social Security won't last as long. Well, hold on, that's just a gimmick. I say get rid of the gimmick and let seniors have the money that they've paid in there. Because here's another thing a lot of people don't realize: You pay tax on that money that goes into Social Security before it goes in, and then you pay a tax on it again when it comes out. It's not like a 401(k) where it's like tax free in one direction. So that's another thing that's not really fair about it that my bill would fix. But that was H.R. 1040.

By the way, President Trump is in favor of that bill. And it's actually a Ron Paul bill. I did some R&D to come up with that bill — I "ripped off" and "duplicated." That's what R&D stands for here in Congress. I R&D'd that bill from Ron Paul and so it would be a good one to get passed. But if it doesn't, I will be down there at the well of the House of Representatives trying to get H.R. 1040 again for that bill so we can all remember that one.

TNA: Speaking of taxes, what are your thoughts on President Trump wanting to create an External Revenue Service, and should we have that in place of the IRS? Let's abolish the IRS and replace it with an ERS. What are your thoughts on that idea, going back to pre-1913?

Massie: [We should] repeal the 16th Amendment, which enabled the direct taxation of people instead of going through the states, which went to the people and taxed their incomes. If you could repeal that, or just abolish the IRS and go to a complete tariff system, you would then have what we had before 1913 in this country. For most of the history of this country we were funded with tariffs, not with a tax on income. And anytime you tax something, you're going to get less of it. When you tax labor, people are disincentivized to work. And when you tax imports, people are disincentivized to buy imports. There are some free-trade folks here. I support them, but they kind of almost have a religious zeal to them. They would rather have an income tax than have tariffs. I'd actually rather have tariffs than have an income tax. But let's be careful. What they're likely to do here is give us tariffs and an income tax.

TNA: It would be nice to return to the 19th-century way of doing things, when the federal government was funded almost exclusively by tariffs, and the debate was in Congress, and with each succeeding president at the time, on whether it should be a low tariff or a high tariff. In the 19th century, Republican presidents typically favored a high tariff to protect business. But the Democratic presidents (of which there weren't that many after the Civil War) — such as Grover Cleveland, who was a great constitutionalist president — favored low tariffs to fund the federal government. Cleveland believed that if the federal government made a surplus through tariff revenue that

meant it was stealing too much from the consumer and also from foreign nations. Therefore, a low tariff seemed to be the best of both worlds.

Massie: And broad-based. I don't like the kind of tariffs that give the executive branch the power to pick winners and losers. But actually, that's kind of one thing that I think the president wants to do. He wants to use it as a bludgeon to affect other nations and the way they behave. It might work. It might not. I don't know, we'll see how that works out. But if we could just repeal the year 1913 altogether, I think we'd be in better shape in this country, because that's when the 16th Amendment that enabled the income tax was passed; and the 17th Amendment, which allowed direct election of senators. So now you had direct election of senators and direct taxation of the people. They just basically burned a hole through the states and went directly from the federal government to the people. I think that was really dangerous to this country, injurious to our Republic, when they did those two amendments in the same year. And that same year, let's not forget, they instituted the Federal Reserve.

TNA: That's why Congress needs to pass your bill, H.R. 24, to audit the Fed and your yet-unnumbered bill that you will introduce to abolish the Federal Reserve. But before that, let's see if — and hope that — Musk and DOGE are able to do an audit of their own of the Federal Reserve, because I'm sure they would uncover some interesting findings as well.

Massie: And just because Congress didn't direct it doesn't mean the president can't audit it himself. I think in this case that's just good government to go in and find out what the heck's going on and what formulas or policies they're using to come up with their decisions.

TNA: Let's talk about the Department of Education, which President Reagan promised to abolish. As Elon Musk pointed out on X, when Reagan left office, the Department of Education was bigger than when he first came in. And this was a Jimmy Carter-era department. Tell us about your bill, H.R. 899, that would abolish the Department of Education, and the chances of it passing in the current House. Even if Trump moves ahead on his own with trying to dismantle it through an executive order, any executive order can easily be repealed by a future president.

Massie: Well, I think, first of all, we have a president in the White House who would sign [H.R. 899 to abolish the Department of Education]. That hasn't been the case before. And he even said publicly he wants his secretary of education to basically work herself out of a job, which to me sounds like he's saying, go send it back to the states and allow those decisions to be made not by some federal school board that has 4,000 bureaucrats making an average of $100,000 apiece [but by the states]. Take that money and give it back to the states. Give the decision-making back to the states, and even better yet, to the school boards and the parents, instead of trying to have a one-size-fits-all situation here at the federal government.

My bill, H.R. 899, is pretty simple. It's one sentence. It says on December

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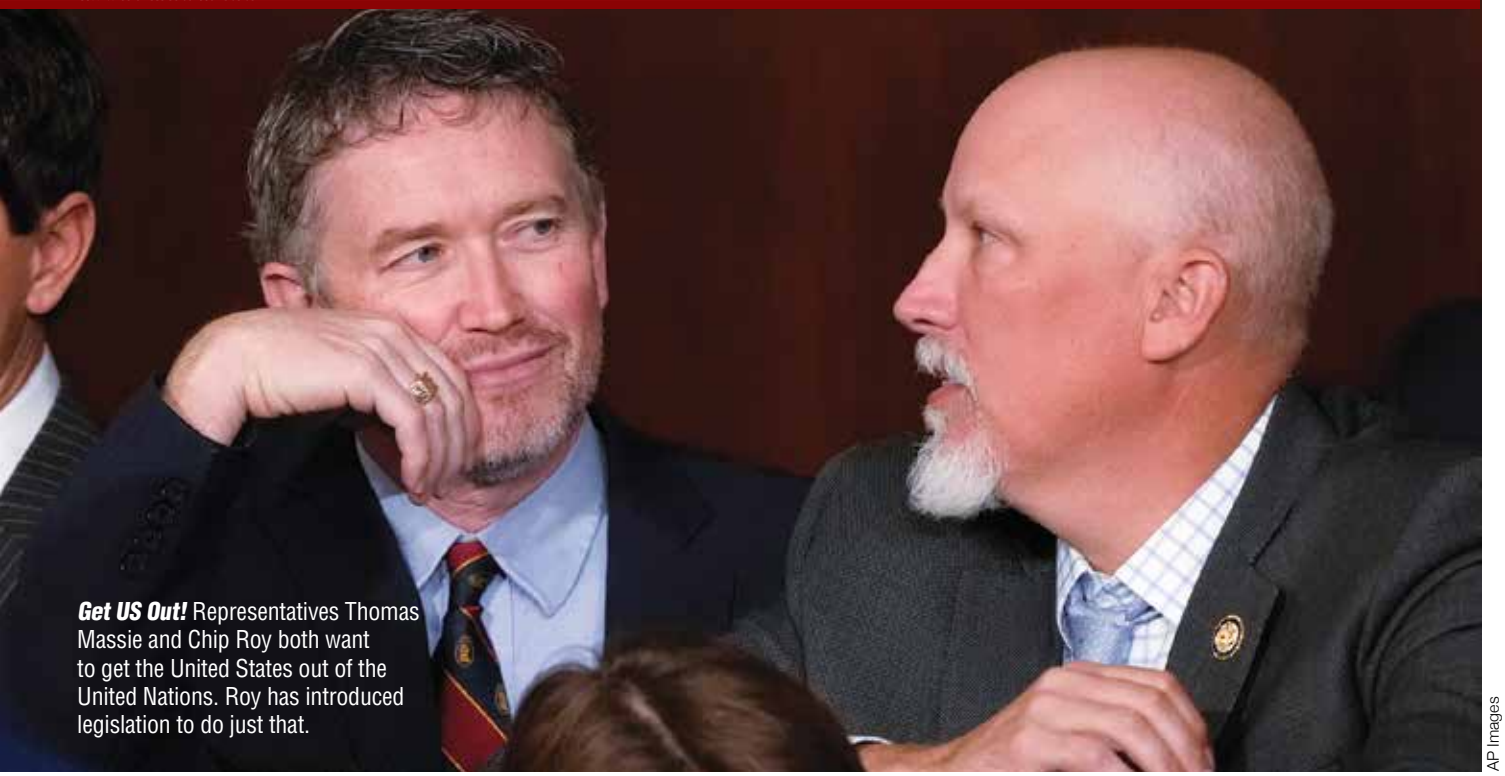
Abolish it: Massie wants to repeal the 16th Amendment, thus abolishing the federal income tax, and close down the IRS. Many Americans would undoubtedly be thrilled at this prospect.



Get US Out! Representatives Thomas Massie and Chip Roy both want to get the United States out of the United Nations. Roy has introduced legislation to do just that.

AP Images

31, 2026, "The Department of Education shall terminate." We don't get into the fine points of what happens to all of it. We can decide what to do with that. If there are any student loans that remain, Treasury could manage those. The school-lunch program is already in [the U.S. Department of Agriculture]. The Head Start program is already in [Health and Human Services]. There's a lot of things that people think are at the Department of Education that actually aren't. And then if you have any civil rights issues, people say, oh, well, what about that? Well, those things are enforced in the courts anyway. You don't need a Department of Education to do it. So, just abolish it.

TNA: What about the argument that some on the Left make that we need the Department of Education because it helps to enforce federal legislation about children with disabilities? How would you answer those critics on the Left who might bring up that point?

Massie: If there are any infringements of laws that protect people with disabilities, those get litigated in the courts, not at the Department of Education. I think you could do well without it. And, in fact, I believe those laws probably existed before the Department of Education came into existence. I mean, I made it to the fourth grade before there was a Department of Education and I did OK.

TNA: Going back to the idea of R&D-ing things from Ron Paul, in the 118th Congress, Congressman Chip Roy of Texas introduced the [Disengaging Entirely From the United Nations Debacle (DEFUND)] Act, which was essentially another version of Ron Paul's American Sovereignty Restoration Act to repeal the United Nations Participation Act of 1945. These bills would *Get US Out!* of the UN and get the UN out of the U.S. It hasn't been introduced in the 119th Congress as of the time of this interview,* but if Chip Roy or someone else doesn't introduce it, is that something you'd be willing to introduce yourself, or co-sponsor?

Massie: Absolutely. I'll give them about six months to get this job done. And if they don't, I'll go do it myself. But I've got some other bills to introduce coming up. I don't want to spoil it right now. I'll come back after we get three or four more bills introduced and talk about those. If Chip Roy doesn't do the heavy lifting there, I'll go do it.

TNA: You are doing a lot of heavy lifting with your National Constitutional Carry Act that you've introduced and your bills to abolish the Department of Education and audit the Federal Reserve.

Congressman Massie, thank you so much for everything that you're doing. We thank you for your time, and we wish you the best of luck and pray for your success there in the House to keep Congress accountable to the Constitution. You're one of the few who are doing that, so we thank you.

Massie: Well, thanks. And if I can make one request of your listeners [and readers], pick up your phone and call your congressman today and ask him or her to co-sponsor those bills that we just talked about: the National Constitutional Carry Act (H.R. 645); the bill to abolish the Department of Education (H.R. 899); the bill to audit the Federal Reserve (H.R. 24); and H.R. 1040, my newest bill to eliminate the second tax on Social Security. ■

**On February 21, 2025, U.S. Representative Chip Roy (R-Texas) and Senator Mike Lee (R-Utah) reintroduced the DEFUND Act (H.R. 1498 and S. 669) in the House of Representatives and Senate, respectively. If enacted, the DEFUND Act would terminate U.S. membership in the UN and remove the UN headquarters from the United States. Representative Thomas Massie was among the initial co-sponsors of H.R. 1498 in the House.*

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Chris Quaglin

J6 FREEDOM TOUR

by Rebecca Terrell

"I'm 39 years old, and I have to start over from scratch," Chris Quaglin said, pointing to his surroundings. He and I connected on a video call — I, from the comfort and safety of my home, and he, from what he calls his "office." It's the cab of his truck.

That, the clothes on his back, and donations from supporters are all he has, because his now-ex-wife filed for divorce only one week before his 2023 trial on charges related to the January 6, 2021 "Stop the Steal" rally in Washington, D.C. The divorce judge awarded Mrs. Quaglin everything the couple owned, along with full custody of their now-four-year-old son.

The child was a newborn when authorities arrested Chris in April 2021, yet the toddler still hasn't seen his father even though President Donald Trump's sweeping pardons freed the 39-year-old electrician on January 20. So now that Chris is a "non-felon," he has traded his J6 attorney for a child-custody lawyer.

Patriot or Insurrectionist?

Despite his exoneration, Chris likely faces an uphill battle. Mainstream media paints him to be a monster. He arrived in D.C. on January 6 "prepared for 'war,'" reads a 2024 Department of Justice press release announcing Chris' sentence of 12 years on 14 charges. According to that rendition, he attacked multiple officers, overran police lines, ripped riot shields away while yelling epithets, and sprayed chemical irritants in officers' faces. During sentencing, U.S. District Judge Trevor N. McFadden, a Trump appointee, practically spat at Quaglin, charging that he had shown "no remorse" despite "shocking and lawless" conduct. "You're a menace to our society," McFadden reproached.

It's an odd juxtaposition, considering what the U.S. Federal Bureau of Investigation (FBI) told Chris the day of his arrest. "On the broad spectrum of things," FBI Special Agent Benjamin Fulp shrugged, "you're not one of my most egregious cases." He said he didn't believe that Chris hurt anyone.

"I think you're a guy who was very concerned with what you saw going on in the country, with the election, with the political process, with what happened," Fulp cajoled during the interrogation video that Chris posted on his X account. "So I understand why you went up there and did what you did."

"And I don't think it's fair for you to pay for the actions of others," Fulp continued. "I know there's others who were involved, others who were responsible." Chris told me that those referenced were members of the Proud Boys, the politically incorrect men's club whose members received some of the harshest sentences of all J6 hostages. Though not a member, Chris attended the rally with some of them. He said that Fulp wanted him to rat out his friends.

Rebecca Terrell is a senior editor of The New American.

"So I'm here to kinda throw you out a raft right now, to help you from drowning, basically, because I don't want you to go away for 40 years and not see your [child] grow up and force your wife to raise your kid all by herself," Fulp fomented.

The agent told Chris that if he chose to "cooperate," he *might* avoid pre-trial detention. "No promises!" Fulp dodged, throwing his hands up in the air. "But I can almost guarantee you, if we don't talk today, that's not going to happen. The only way that's gonna happen is if you help yourself out today."

Throughout the monologue, Chris remained impassive. His only response, delivered in a calm, deliberate voice, was: "My lawyer advised me not to answer any questions without him being present." Apparently oblivious to the inanity of his response, Fulp asked, "I didn't ask you anything today, right?" Chris repeated his previous statement, and only then did Fulp read the Miranda warning, notifying the captive of his legal rights.

Retribution

As Fulp predicted, Chris remained jailed from that point on. He says he was deprived of his medically necessary diet for celiac disease, an autoimmune condition. "I lost 30 pounds in three weeks," he said, and within a short time, he shed an additional 30. "I went from 210 all the way down to 150."

He remains slim today, after four years of incarceration, which he spent being shuttled to various jails and prisons — including the "D.C. Gulag." In each he says he witnessed atrocities against both himself and other inmates. In the hopes that he can expose what he says is systemic abuse in the justice system, he's trekking across the country on a Freedom Tour to tell his story.

Documentary filmmaker David Sumrall relates how the tale began in his *1000 Days of Terror* short. Chris was among those milling about the west front of the U.S. Capitol. Ample video evidence indicates that no violence occurred until a police sniper shot J6er Joshua Black in the face with a rubber bullet. Chris saw it happen.

Sumrall tells what happened next, with video that supports his narrative:

> Chris Quaglin approaches the police line screaming about the shooting of an innocent protester in the face, when an agitator tactically pushes him from behind into the already anxious police. The agitator, Landon Copeland, admitted to being a member of Antifa just after being sentenced for his involvement. The police reacted with violence, further infuriating what was a peaceful crowd.

Interestingly, the Western Journal documentary *The War on Truth* shows Landon Copeland earlier that day being waved past a security checkpoint by someone who appears to be a police officer. After his arrest, Copeland pleaded guilty to assaulting officers. He received a 36-month sentence (despite having yelled a string of obscenities during an earlier court hearing), but served fewer than 31 months and was released in November 2023.

Freedom Tour

Yet the disparity in his sentencing is not what inspired Chris to join with Sumrall's StopHate.com to launch his coast-to-coast Freedom Tour. Naturally he wants to expose the abuses he witnessed in the prison system, but he also aims to visit as many of his supporters as possible to thank them for not giving up on him.

"I've never *not* been tied down before in my life," he said. "So let's see where this journey takes us."

It has already taken him to the Northern Neck Regional Jail in Virginia to address its monthly board meeting about conditions he witnessed as an inmate, followed by another address to a patriotic group in the area. Then he joined the "J6er Crew" at the Conservative Political Action Conference in Washington, D.C., and enjoyed a stay with supporters in Virginia. From there he's heading south to Florida to connect with others before driving to meet Doug and Jenny McCombs in Texas at their J6 Road Home property. It's an 11-acre complex designed "to hire, feed and house January 6th defendants as they transition out of prison and rebuild their lives," explains the website J6RoadHome.com.

But Chris won't put down stakes there. He plans to continue to California and then head north to travel back across the country and home to New Jersey. You can track his progress on X at Chris Quaglin Freedom Tour, or at StopHate.com/Freedom-Tour. ■

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(March 24, 2025) TNA250324

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by Joe Wolverton II, J.D.

Restoring the Right to Bear Arms Nationwide

Representative Thomas Massie (R-Ky.) has introduced H.R. 645, the National Constitutional Carry Act, a bill designed to ensure that Americans can exercise their right to keep and bear arms without government interference. By explicitly prohibiting state and local restrictions on carrying firearms, the bill restores the Second Amendment's clear constitutional mandate that the right to bear arms "shall not be infringed."

"I'm fortunate to live in a state where people are free to exercise their right to keep and bear arms without begging the government or paying a fee," Massie stated. "Unfortunately, not every American enjoys the same right … because some states and localities infringe upon this right through a variety of criminal, civil, and regulatory penalties."

The Second Amendment does not grant rights — it protects them. The Founders did not include the phrase "shall not be infringed" as a suggestion, nor did they intend for state and local governments to regulate a God-given right. The Bill of Rights exists to restrain government, not to grant privileges.

Despite this clear constitutional barrier, gun-control laws in certain states treat self-defense as a state-approved privilege rather than a fundamental right. States with strict firearm regulations impose permit requirements, fees, and arbitrary restrictions that prevent law-abiding citizens from protecting themselves.

Massie's National Constitutional Carry Act directly addresses these unconstitutional state actions with two provisions, one prohibiting states and local governments from imposing criminal or civil penalties on individuals legally carrying firearms in public, and one invalidating all state and local laws, statutes, and regulations that criminalize public firearm carry.

This law would restore the Second Amendment's original intent across all 50 states, as well as in the District of Columbia, Puerto Rico, and other U.S. territories, ensuring that no American is deprived of his right to carry a firearm.

Opponents of Massie's bill claim that allowing Americans to carry firearms without a government-issued permit will lead to widespread violence. But their argument has already been proven false.

Currently, 29 states have enacted constitutional-carry laws, and none has experienced the chaos that gun-control activists predicted. Hunter King, director of political affairs for the National Association for Gun Rights, emphasized this point: "Currently, 29 states have adopted constitutional carry laws, yet contrary to the warnings of gun control advocates, there's no evidence of rampant violence or 'wild west' scenarios. Instead, crime rates either remain stable or show a decline."

If constitutional-carry laws were truly dangerous, then the states that have enacted them should be lawless battlegrounds. Instead, as noted above, the amount of crime stays the same or even goes down. Meanwhile, places with the strictest gun-control laws continue to experience skyrocketing violent crime.

Patrick Parsons, executive vice president of the American Firearms Association, highlighted the absurdity of the anti-gun lobby's fearmongering: "For the past 15 years, anti-gun liberals have told everyone that states passing constitutional carry would experience violence like we haven't seen since the 'wild west' days. Twenty-nine states have proven them wrong, all while gun-control strongholds like DC, Chicago, and California have descended into violence and deadly chaos."

These facts expose the fundamental failure of gun-control laws: They disarm law-abiding citizens, while leaving criminals armed.

Gun-control activists argue that states should have the authority to regulate firearms as they see fit. But this claim ignores the plain text of the Constitution.

Just as states cannot ban free speech or suspend due process, they cannot invalidate the right to bear arms. The Supreme Court's *Bruen* decision in 2022 reaffirmed that gun laws must be rooted in the historical tradition of the Second Amendment, not based on arbitrary government interests.

Massie's bill acknowledges this truth by reinforcing the constitutional supremacy of the Second Amendment. The federal government has an obligation to ensure that states do not infringe on the rights of the people.

The National Constitutional Carry Act is not about granting a new right — it is about restoring an existing one. It ensures that no state, city, or bureaucrat can trample upon the God-given right of self-defense.

If passed, H.R. 645 would eliminate the patchwork of unconstitutional state laws that deprive Americans of their rights based solely on where they live. The Second Amendment is not a privilege to be granted by state legislatures — it is a prohibition on government infringement.

At a time when the federal government routinely ignores constitutional limits and state governments pass more draconian restrictions on gun ownership, Massie's legislation is a bold stand for constitutional fidelity. If Congress has any respect for the Constitution, it should swiftly pass the National Constitutional Carry Act and uphold its duty to protect the liberties of the American people.

The Second Amendment is clear: "The right of the people to keep and bear arms shall not be infringed." It's time for Congress to finally act like it.

Massie's proposed legislation is currently co-sponsored by 35 other representatives. ■

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THE REVIEW

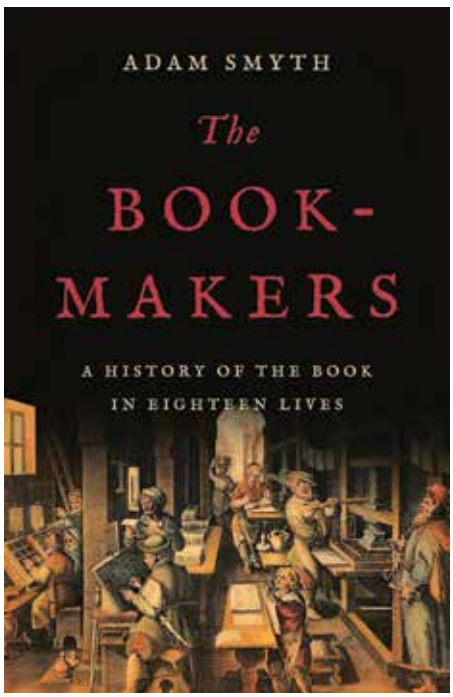
Surveying the Making of Books Over the Years

by William P. Hoar

***The Book-Makers: A History of the Book in Eighteen Lives*,** by Adam Smyth, New York: Basic Books, 2024, 398 pages, hardcover.

Lest you misunderstand the title and think this is a history involving gambling and odds-makers, this is, as the author impresses on readers right up front, a book about books and the people who made them. We get figurative wide-angle surveys about types of printing and snapshots of printers, with close-ups of 18 such individuals.

As one major English newspaper has put it — this title was originally published by The Bodley Head in Great Britain — this volume is far from your standard Gutenberg-to-Google history. (That comment is on target, though a bit more on Gutenberg might have helped set the stage better.) Still, the stage is a long one, covering some 530 years; there's a British focus, but some of the players come from other corners of the globe. This story — canvassing the



physical nature of books — has "an English, French, and North American spine, but any history of the book is sprawlingly international, and we'll take in China from the second century, and the Islamic world from the eighth," the introduction assures readers.

Some of the books viewed may be dusty, but we will bet that you'll find the associated tales about their creators to be vigorous. Our bibliophilic guide for *The Book-Makers: A History of the Book in Eighteen Lives* is Adam Smyth, a professor of English Literature and the History of the Book at Balliol College, University of Oxford. Smyth is a regular contributor to the *London Review of Books*. He is also a bookmaker, running a small printing press (39 Steps Press) in Oxfordshire, England. This volume was named a Best Book of 2024 by the London-based *Economist*.

As to the scope: We get to see printed books in the 1490s in London and "zines" of BlackMass Publishing (founded in 2019 to showcase black culture and interests) in New York City in 2024. The older treasures, and their associated stories, are decidedly more showstoppers than the "modern" creations. We are told early on, and again before closing the volume, why the focus is on printed books — and readers are also reminded that printing didn't wipe out handwritten text; similarly, digital hasn't replaced print. Johannes Gutenberg and those of his era are not ignored, but are on the cusp, not in the heart, of this volume. Smyth says the 1455 Latin Bible of Gutenberg and others of the time "tried very hard to look like handwritten texts, in part because, like all new media scrambling for credibility, print disguised its own novelty, but also more generally because handwritten texts were the only available models. What else could print look like apart from manuscript?"

There's no disguising Smyth's professorial expertise, but even if the topic may not

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be everyone's cup of tea, and the subject (to some) wearying, the author leavens his own words with a light tone.

De Worde

Smyth kicks off with what he acknowledges does sound like the start of a joke — with a Dutchman named Wynkyn walking into a London tavern in 1492. The character is undoubtedly less familiar to most than Gutenberg, but Smyth's history of the book commences with Wynkyn de Worde. (To show how the author really does dig deep, we learn that the subject's name is listed in some records as Winandum van Worden, Wynand van Worden, Windanus van Worden, Wynkyn Vort, William Wykyn, Wynken de Vorde, and even Johannes or Jan or John Wynkyn.) De Worde is what is generally used in this book. Wynkyn de Worde was, as Smyth writes, "a pioneer who had a new kind of skill that the emerging business of printing made necessary: the ability to understand the desires and aspirations of readers he had never met. He grasped the disseminating potential of print, its capacity to reach readers beyond the coteries of manuscript (from the Latin, 'handwriting') circulation."

When you are using words, quality may be more important than quantity, but when you are printing, quantity helps pay the bills. Even if many of us are unacquainted with his name, de Worde did reach a newly broad audience of bestselling books in English, as we read in *The Book-Makers*. De Worde, we learn, published more than 800 titles, which, one scholar estimates, was about 15 percent "of the entire known printed outcome of England before 1550." Here's another factoid: More than half the books printed by de Worde had illustrations, "and these come from more than 1,100 separate cuts or blocks."

Smyth paints us detailed word pictures of the Fleet Street location of de Worde's print shop. Here's part of what is imagined, with machinery and people squeezed in together: "The place is surely cramped, and probably dark; too hot in summer. Candles flicker. Just-printed sheets hang from high ropes like drying laundry." We even get the smell: The place "stinks ... from bodies printing 250 sheets an hour for twelve-hour days" and other odors. More familiar is the composition room, where type is set.

Details abound about some of the books under discussion. But it was something else that caught my eye in one chapter. Smyth tells us (here and throughout the volume) that printers dealt with more than we today see as books. They also produced "sheets, broadsides, [and] ephemera (we shouldn't be too literally bookish when we consider the history of the book)." Past cultures of print might, he writes,

> be dramatically different from our own. The text [being discussed] is the only surviving example of an English printing birth girdle, a text designed to magically protect women against the dangers of childbirth: the printed paper strip would have been placed over the woman's womb during labour as a way of requesting divine aid while the prayers and incantations were spoken out loud. It was printed by de Worde near the end of his life, around 1533.

De Worde also labored in other languages. Smyth recalls a book written by a professor at Cambridge University, which gave birth to a remarkable effort by de Worde — being the first "use of italic in England, one of the very first books to print Hebrew, and the first ever in England with Arabic characters."

Binding, Typography

Beyond printing, per se, Smyth elucidates on design and binding, those who made their marks in such fields, and much more. There are chapters, for instance, on typography, "extra-illustration," circulation, "anachronic books," paper, "non-books," small presses, and (seemingly running out of steam, and not saving the best for last chronologically and in *The Book-Makers* itself) "zines," "do-it-yourself boxes," and artists' books.

Featured in the binding chapter is a remarkable man largely lost to history — William Wildgoose (who died in 1626). Who is he? you might well ask. The author tells us that Wildgoose combines "obscurity and influence," since his name is linked, "through his binding work, with perhaps the most famous of all [books]." Teasing readers for several pages, Smyth finally identifies the binding of Shakespeare's First Folio.

We get to see illustrations of this (and other works) in the main body of the book as well as a plate section. The volume does have an index. It does not employ footnotes or a bibliography, but does have descriptions of some of the most important works used in each chapter, which do help for reference. One of the depictions of the marred First Folio (now at the Bodleian Library in Oxford) shows "enthusiastic elbow damage" opposite the balcony scene in Romeo and Juliet. Such books did get a workout over the years.

Many readers may recognize the name of John Baskerville (1707-1775) for the popular type font that bears his name; he is featured in a typography chapter. Fewer will know his wife, Sarah Eaves. Smyth covers both — and *The Book-Makers* itself is (bookish nerd alert)

typeset in 12/14.75 pt Baskerville MT Pro. The author suggests that Baskerville's first published book is "arguably his greatest" — a canonical learned Latin version of the poetry of the Roman poet Virgil, with gold fore-edges and smooth, satin-like paper.

As we learn, volumes printed by Baskerville were met with international acclaim, with one of his customers being Benjamin Franklin (more about Ben anon), who bought books from Baskerville fresh from the Birmingham press in 1760, during a visit from Pennsylvania.

Baskerville's type adorned what he particularly sought — "books of consequence," according to one historian cited by Smyth. His detailed work is literally awesome. And we do mean right down to the very letters themselves (the images are a boon in that regard). It turns out that Baskerville was big on uppercase Q's and lowercase g's. Accordingly, here's a small tale on a tail: Smyth explains that the printer's "upper case Q — a letter than became his typographical signature — has a tail that reaches out extravagantly beyond the body of the letter, its thickness widening and narrowing as it proceeds like an unfurling ribbon."

As you can see, Smyth delivers comprehensively — from de Worde to details of letters.

"Ben Franklin, Printer"

Our favorite chapter, one that should be particularly appreciated by Americans, is called "Non-Books" and features Benjamin Franklin (1706-1790). Trying to list his achievements in a limited space is well-nigh impossible here, and the author admits that his attempt to do so (in a single, very long sentence) is incomplete. Smyth's sentence, by our count, covers 35 lines in his book, measuring (by our handy metal pica ruler) 42.5 picas.

It includes a list with a plethora of semicolons — from his being the editor and publisher, at age 23, "of what became his nation's most important newspaper, the *Pennsylvania Gazette*," down to Ben's being the inventor of "a 'long arm' for removing objects from high shelves." It includes, of course, his being one of the drafters and signatories of the Declaration of Independence, and much of Franklin's witty writing (Smyth calling him a "prolific humourist," in a Britishism). The professor does cite his *Autobiography*, and recalls Franklin's being an author of essays on phonetic alphabets, demography, and paper currency. Yet Smyth omits, for some reason, a Franklin collection entitled *F*rt Proudly*.

As you might imagine, we get treated to a thorough look at Franklin's proverbial wisdom in *Poor Richard's Almanack*. Why the chapter is title "Non-Books" becomes clear when Smyth recounts the varied work done by Ben Franklin. He had been printing Samuel Richardson's novel *Pamela* when he had to put that and other longer-term projects on hold. In 1742, we read, the work on the very popular *Pamela* (it took Franklin more than two years to complete both volumes) was repeatedly suspended. Jobbing work took precedence. Among other jobs was the printing of lottery tickets (an image of one is reproduced). Other work:

> Licences for pedlars and public houses; sheriff's warrants; naval certificates; 1,000 hat bills; Irish Society tickets for Philip Syng; and thousands of advertisements, for, among others, sailor runaways, and for Samuel Lloyd's mare. These are printed works whose loud local voice is lost in the long hum of history. Soap wrappers for his brother John in Boston; bookplates for libraries; medical cures by Dr. Brewster.

The list goes on for some time. (Quibble, with a capital Q: The published work under review would be better served with more paragraphs. Give the reader a breath every once in a while: one all-too-typical "paragraph," at hand, has 38 printed lines without an indent.)

Franklin printed paper money for the governments of Pennsylvania, New Jersey, and Delaware. And he had some idea as to how it should be printed. From 1739, the author points out, "the verso of his bills carried the impression of leaves to prevent counterfeits: Franklin placed a leaf on a piece of wet fabric and pressed this into smooth plaster, and used this negative impression as a mould for melted metal type."

The Franklin chapter alone is worth the price of admission to *The Book-Makers*. It makes Ben's *Autobiography*, read years ago, beckon anew. Smyth is clearly a fan, noting that "even when Franklin had achieved international fame later in life, he still signed himself 'Ben Franklin, Printer.'"

Let's give the next-to-last words about this commendable history of the printed book to "Poor Richard": Well done is better than well said. Or, better yet, do both. ■

"Benjamin Franklin, printer" by Charles E. Mills, c. 1914

Library of Congress

THE LAST WORD

Abolish USAID
Support H.R. 1029

by D. Michael DeRidder

AP Images

The U.S. Agency for International Development (USAID), established in 1961 under the Foreign Assistance Act, has operated beyond the federal government's constitutional limitations for more than a half-century. Additionally, it has wasted billions of American taxpayer dollars on foreign-aid programs plagued by corruption, and has exhibited an anti-American ideological bias at odds with traditional American values.

In response, U.S. Representative Greg Steube (R-Fla.) introduced H.R. 1029, long-overdue legislation that, if enacted, would abolish USAID and its foreign-aid programs.

USAID exemplifies the dangers of an unaccountable Deep State bureaucracy that prioritizes socialist and globalist interests over U.S. sovereignty and the well-being of the American people. Rather than benefiting the taxpayers who fund it, USAID promotes socialist policies abroad. The funds, allegedly intended for "humanitarian" or "developmental" purposes, end up in the hands of foreign governments that believe they are entitled to our wealth and neither share our interests nor respect our sovereignty. Some notable examples of USAID funding include:

- $38 billion to support Ukraine's government and economy since 2022;
- $200 million to EcoHealth Alliance, funding bat-virus research and the "Predict" research project (2009-2020);
- $100 million for an Iraqi version of the children's show *Sesame Street* titled "Ahlan Simsim Iraq";
- $15 million in global funding for LGBTQ+ advocacy;
- $2 million for "gender-affirming care and advocacy" in Guatemala; and
- An undisclosed amount of money for transgender health clinics in India and Vietnam.

Congress lacks the constitutional authority to appropriate taxpayer money for foreign aid; USAID's very existence violates this limitation. The constitutional argument is straightforward: Article I, Section 8 of the U.S. Constitution specifically enumerates the purposes for which Congress may allocate public funds — and foreign aid is not listed. Therefore, funding international organizations and foreign governments is unconstitutional.

The creation of USAID in 1961 was a blatant overreach of congressional authority, and the agency has gone unchecked for far too long. It's time for Congress to dismantle this unaccountable bureaucracy that pushes progressive and socialist initiatives that reflect the worldview of unelected bureaucrats rather than the will of the American people.

Co-sponsored by principled lawmakers including Representatives Thomas Massie (R-Ky.), Andy Biggs (R-Ariz.), and Harriet Hageman (R-Wyo.), H.R. 1029 is an important step toward restoring adherence to the Constitution.

This legislation reaffirms U.S. sovereignty and ensures taxpayer funds are used in accordance with the Constitution, not squandered on foreign agendas that undermine our national interests. By passing H.R. 1029, Congress can send a clear message: The Constitution is not negotiable, and will not be overridden by globalist priorities — especially not at the expense of hard-working Americans.

Every year, billions of dollars are drained from American taxpayers — money that should be left in the pockets of those who earned it. Eliminating USAID is a constitutional solution that ends foreign-aid programs, and is a step toward restoring financial and legal integrity in our federal government.

Our elected officials must prioritize the interests of the American people over those of globalist bureaucrats and foreign elites. Every American can take action. Contact your U.S. representative and senators, and urge them to support H.R. 1029. Ask that they keep their oath to support and defend the Constitution by protecting U.S. sovereignty and ending USAID's wasteful, unconstitutional overreach.

The time to act is now — we encourage our readers to support H.R. 1029 and help dismantle a system that has burdened taxpayers and betrayed our founding principles for far too long. ■

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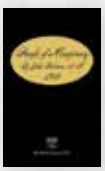

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